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Edwin J. Feulner Jr.

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Between Little Rock and a Hard Place

What Conservatives Should Learn from Defeat

ADAM MEYERSON

Bill Clinton won the presidency not only through George Bush's economic mismanagement, but also because he learned from the mistakes of other Democratic candidates over the past 20 years. In contrast to his predecessors, Clinton campaigned as a champion of middle-class tax relief and economic growth, an opponent of crime and permanent welfare dependency, a church-going Baptist, and an anti-Communist willing to use military force. By focusing on the economy, and combining culturally conservative and culturally radical messages, he won back the Reagan Democrats while commanding the enthusiastic support of environmentalist, feminist, and homosexual activists. Perhaps his biggest strategic coup was his bi-racial coalition: he won the support of northern Catholics and many southern whites without alienating the Democratic base among blacks.

These balancing acts were no accident. They resulted from years of research by smart Democrats who wanted to know why their presidential candidates were losing among middle-class voters, particularly white males in the South and northern suburbs whose families had been stalwarts in the Roosevelt coalition. Strategists such as James Carville and think tanks such as the Progressive Policy Institute crafted a "New Democrat" rhetoric that appealed to the broader middle class.

Turned-Off Constituencies

It is time for conservatives and Republicans to engage in similar research, and perhaps to craft a "New Republican" rhetoric. Two important constituencies for the GOP and conservatism are turned off now, and it is important to find out why. One is the Ross Perot volunteer army, consisting of tens of thousands of Americans who want to work for fiscal responsibility in Washington but don't think they can do it through the Republican Party or the conservative movement. The second consists of suburban families, particularly in the West, who are yearning for a moral environment in which to raise their children but are frightened by the strong presence of conservative Evangelicals in the Republican Party.

The challenge for conservatives in the first case is to combine the pro-growth, tax-limitation message of Reagan Republicanism with a program to address the Perot people's concerns about long-term debt and economic decline. In the second case, just as Bill Clinton had to find a way to reach out to whites without alienating blacks, Republicans will have to find a way to retain the enthusiastic support of conservative Evangelicals—an enormous asset for the GOP—without antagonizing the majority of suburbanites.

Bush's Limited Blame

George Bush is not responsible for most of the problems in the GOP and the conservative movement. As disastrous as his economic and domestic policy was, Bush cannot be blamed for the GOP's loss of the Senate in 1986 in the middle of the Reagan boom, or for the GOP's consistent failure to win even open seats in the House of Representatives since 1980, or, in an age of ticket-splitting, for the 1992 wipeout of the GOP at all levels, including the state legislature, in bellwether California.

The GOP, to be sure, will have a good shot at the White House in 1996 if Clinton dishonors his campaign promises or otherwise stumbles. The next Republican president will be a weak one, however, unless conservatives and the GOP can build a governing majority in the Congress and the nation. Over the long run Congress is principally in charge of domestic policy—even of the Supreme Court, as Robert Bork and the pro-life movement discovered. And the weaknesses of the GOP and conservatism are much more pronounced at the congressional than at the presidential level.

This was shown dramatically in 1992 with the Senate defeats of four attractive, articulate conservatives—Bruce Herschensohn of California, Terry Considine of Colorado, Rod Chandler of Washington, and Bob Kasten of Wisconsin—to opponents (except in Colorado) sharply to the left of them. These are four of the most entrepreneurial states in the country; they are the natural territory of conservative Republicans, and yet the sales pitch isn't working.

ADAM MEYERSON *is editor of* Policy Review.

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Reaching Perot's Millions

To connect better with their natural allies in the American people, conservatives will have to refine both their economic and their cultural messages.

Conservatives take justified pride in the economic achievements of the Reagan years. Twenty million new jobs were created between late 1982, when the Reagan tax cuts were kicking in, and spring 1990, when Bush broke his tax pledge. Deregulation led to much more efficient trucking, airline, finance, and telecommunications industries, and strengthened the international competitiveness of the U.S. economy. The top 80 percent of American households enjoyed substantial income gains in the 1980s. For the burgeoning black middle class, it was the greatest period of prosperity ever.

There are two nasty-looking clouds, however, in the blue sky of Reaganomics. One is the rising debt of the federal government—now over $4 trillion—and the trillions more in unfunded Social Security liabilities. Reagan left office in Fiscal Year 1989 with a budget deficit that was 5 percent of GDP when a surplus that is supposed to be reserved for Social Security is excluded. That was too high for an economy in its seventh year of growth.

The other cloud is the stagnation in labor productivity since the early 1970s. Since real wages depend on productivity, single-income families have been on a treadmill for the past two decades. The amazing growth in family income during the Reagan years came because more mothers and teenagers were working, not because wages were rising. The "seven fat years," as *Wall Street Journal* editor Robert Bartley has aptly described the Reagan boom, were lean ones for stay-at-home and single moms.

To reach the Perot people, conservatives must offer answers for this rise in debt and stagnation in wages. Income-tax limitation, capital-gains tax cuts, the line-item veto, a balanced-budget amendment, and congressional term limits are all essential ingredients in a conservative economic strategy, but they are not enough to address the concerns of Perot's millions that the long-term fiscal health of the federal government is in jeopardy, and that their children and grandchildren will not enjoy the same job opportunities they did.

Needed as well will be politically attractive arguments for specific program cuts and across-the-board caps on spending; for less costly forms of environmental regulation that will still appeal to the conservationist instincts of the American people; for fundamental reform of a litigation system gone bonkers; and for market-based approaches to job training and re-training that will boost worker productivity. Conservatives, quite frankly, haven't done their homework on these important subjects.

Don't Tread on Me

The second great challenge for conservatism—retaining the support of conservative Evangelicals without frightening away other natural allies—is more difficult and emotionally charged than the first. Fear of the Christian Right did not cause George Bush's defeat, but it has seriously hurt conservatives and Republicans in congressional and state and local races, especially in the West. In some cases, this fear results from a bigotry against Evangelicals as virulent as the anti-Semitism and anti-Catholicism of a generation ago.

Conservatives cannot and should not walk away from the Christian Right. The cultural message of conservatism must begin with a deep respect for religion—all religions. As they can with so many other religious groups, conservatives can point with pride to the many contributions conservative Evangelicals are making to American life—from Prison Fellowship's work turning convicts into productive citizens, to the pre-natal care and adoption services offered by Christian maternity homes, to Focus on the Family's emphasis on the responsibilities of fathers to their children. The loving families and charitable neighborliness of church-going Evangelicals are models for the nation.

The danger comes from a fear that Evangelicals want to force their morality on everybody else. One of the fundamental liberties of a free society is the right to express one's deepest moral beliefs—including disapproval of behavior one considers wrong. At the same time Evangelicals have to be careful not to tread on two principles cherished by liberal and conservative Americans alike: "Don't tell me how to live my life," and "Don't impose your religion and morality on my children."

Cultural Conservatism for a Free Society

Cultural conservatives have to be careful, for example, that their disapproval of homosexuality not be misinterpreted as persecution or an effort to make the practice unlawful. There is nothing "hateful" about opposing gay rights legislation, fifth-grade textbooks promoting the virtues of homosexuality, or sexual conduct that undermines discipline and morale in the military. Cultural conservatives can make that argument more persuasively if they avoid language such as the Oregon referendum last year that would have declared homosexuality to be "abnormal, wrong, unnatural, and perverse." There is no reason for government in a free society to make such judgments.

Greater emphasis on school choice would help assuage the fears of secular parents alarmed by attempted "takeovers" of local school boards by Evangelical activists. Choice would give Evangelical parents what they really want—greater control over their children's curricula—without imposing their preferences on anyone else.

The hardest balancing act will be over abortion, because there can be no compromise when it comes to protecting innocent human life. The problem for the pro-life movement is that the majority of Americans, although deeply uncomfortable about abortion, do not yet attribute full personhood to unborn children, particularly not in the first trimester of pregnancy. Until this changes—and the challenge for the pro-life movement is to make it change—the no-exceptions language of the GOP platform is an unrealistic and self-defeating immediate objective, and the pro-life movement would be better served by more incremental goals that will discourage abortion and make it socially unacceptable without, at least for now, making it illegal.

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Reading His Lips

How to Tell if Clinton Really Is a New Democrat

Edwin J. Feulner Jr.

Who would ever have thought that a Republican president closely identified with the Reagan Revolution would fall to a Democratic challenger campaigning against him from the right?

Although George Bush was conservative in his court appointments, his embrace of free trade with Mexico, and most foreign policy questions, on the critical pocketbook issues that matter most to voters, Bill Clinton frequently appeared to be on Bush's right. Clinton was also more at ease with the optimistic "can-do" rhetoric of Ronald Reagan than the man who served for eight years at Reagan's side.

Most of Clinton's specific policy recommendations will fall far short of the conservative ideal. Yet, in the war of the campaign sound bites, it was Clinton who celebrated growth and condemned deficits. In an October 22 Seattle campaign speech, for example, Clinton hit the Bush administration on three fronts: failing to control federal spending, taxing middle-income families into the poorhouse, and bogging the economy down in a morass of new regulations. The theme was repeated over and over as he traveled the country; it was the heart of the Clinton message.

President-elect Clinton convinced voters that he has moved the Democratic Party back into the moderate-center mainstream of American politics—a sharp move to the right for the party of George McGovern, Jesse Jackson, Walter Mondale, and Jerry Brown. As Cleveland City Councilman Mike Polensek told the *Washington Post*'s Thomas B. Edsall just a few weeks before the election, "I'm a conservative Democrat and I'm angry because of what's happening in the country." Polensek had voted for Reagan in 1980 and 1984, Edsall noted, and for Bush in 1988. Not this time. The Bush administration lost touch with the Reagan Democrats, and by the millions they returned home to the party of their parents.

It was also the Democratic candidate in 1992, not the Republican, who quoted frequently from Heritage Foundation research. As Clinton told the Seattle crowd: "All they [the Bush administration] know how to do is say the words tax and spend, but look at their record.... It was Mr. Bush who said 'Read my lips' and then signed the second-biggest tax increase on the middle class in history. Mr. Bush who raised spending higher than any president in the last 30 years. Mr. Bush, according to the conservative Heritage Foundation, who increased regulation on the private sector more than anyone in the last 20 years." All of these charges are true, and all of them have been documented by Heritage and other conservatives.

The First Test: Personnel

Campaigns are one thing, and governing is quite another. Clinton talked tirelessly during the campaign about "growing the economy." He talked about reforming the welfare system. He expressed his faith in the private sector and free trade. Now he must show that he intends to govern as a "New Democrat" as well. Forgive me if I express a healthy skepticism.

The first important test, of course, will be the men and women he chooses for top policy-making positions in government. Will they be Clinton loyalists, dedicated to the kind of change he promoted during his long association with the Democratic Leadership Council and the Progressive Policy Institute? Or will they be creatures of the Democratic Party establishment, long wedded to the special interests of the left? The choice is his, and the success of his administration probably hangs in the balance.

In the meantime, conservatives—as all Americans—should wish the new president God's speed. After all, as conservatives we see presidential elections as an affirmation of the very best in America's democratic tradition: a great act of faith, hope, and optimism.

Enduring Conservative Ideas

While an important chapter in the political history of the United States has ended, the beliefs that motivated the Reagan Revolution—in individual freedom, limited government, competitive enterprise, and peace through strength—live on. Conservatives will strongly oppose Clinton when he assaults these principles. We also hope that he will look openly on our policy ideas.

Edwin J. Feulner Jr. *is president of The Heritage Foundation and publisher of* Policy Review.

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The proposal to establish enterprise zones in distressed urban areas is a natural for Clinton. It was not until the closing day of the 102nd Congress—more than 13 years after my colleague Stuart Butler first introduced the proposal to U.S. policy-makers—that Congress finally approved legislation establishing urban enterprise zones. Instead of being the centerpiece of the legislation, the proposal was just one of many items in a broader tax bill, which ultimately fell to a presidential veto. So, after 13 years of talking about enterprise zones, we still are just talking about them. Perhaps cities will finally get their chance for enterprise zones under Clinton.

Strategic defense would also make sense for the new administration. For nearly a decade we have been told by opponents of the strategic defense initiative—first proposed by President Reagan in 1983—that developing missile defenses would be 1) destabilizing; and 2) a waste of money, since this "naive pipedream" of Reagan's was not feasible. Ten years later we know both of these excuses are untrue. The argument that missile defenses would upset the delicate balance of power was all bluff, pushed by a professional arms-control community that depended on business-as-usual for prestige and influence. The argument that we would be wasting our money was equally specious. By the late 1980s it was obvious to almost everyone that the technology to defend America from enemy missiles was well within reach; we lacked the will, not the way.

Today, many people feel that deploying missile defenses is even more important than it was during the Cold War, with various rogue regimes in the Middle East and elsewhere hell-bent on obtaining weapons of mass destruction. Even Russian President Boris Yeltsin has called for the deployment of missile defenses, and has offered to cooperate with the United States. Yet, here we are, 10 years after former President Reagan's so-called "Star Wars" speech, still fighting over the idea—while American cities and soil, and those of our friends and allies, remain undefended.

JFK's Tax Cuts

The Clinton administration can reject these and similar conservative ideas out of hand. But the only prudent and practical course for the administration, beset with the problems it has inherited from the Bush White House, will be to embrace such concepts as its own.

Let the Clinton White House call its proposals what it wants. That's politics. The policies are far more important than the names given to them. For example, since Bill Clinton has made "growing" the economy a top priority, let him propose growth-oriented tax cuts. He would never want to use the "supply-side" language of the Reagan administration, of course, so let him call his proposal the Kennedy II Tax Reform Act. After all, it was just a little more than 30 years ago that John F. Kennedy pushed through Congress legislation dramatically lowering marginal tax rates, and produced the growth spurt that would later fuel Lyndon Johnson's War on Poverty. Clinton must understand, however, as Kennedy and Reagan most certainly did, that none of his other announced plans—many of which we conservatives will

Reuters/Bettmann

Bill Clinton campaigned to the right of Bush on the issues of jobs, taxes, and deficits.

adamantly oppose—will be possible without a vigorously growing economy. That must come first.

If it adopts the pro-growth tax policies of Kennedy and Reagan—something the Bush administration was loath to do—the Clinton administration stands a chance of being successful. If it rejects them, it will fail.

Just Say No

The new administration will be under intense pressure from organized interest groups—ranging from the AFL-CIO and National Education Association (NEA) to the Jackson Democrats (Jesse, that is) and radical environmentalists—to pay them off. With his party's control of the House and Senate, Clinton will be in a strong position to do so. And his reward will be a one-term presidency, like Jimmy Carter's and George Bush's.

Some pay-offs are inevitable. A newly elected president accumulates political debts, and some of his creditors will undoubtedly call in their IOUs. A political leader, however, must learn how and when to say no. This is where Clinton's "vision thing" will be tested.

Clinton inherits a recovering but weakened economy, a federal budget bloated with wasteful pork, a $4-trillion national debt—increasing at 8 percent a year—a private sector crippled with federal mandates, a public-education system that produces illiterate high-school graduates as efficiently as Wendy's stamps out bacon-cheeseburgers, a cultural establishment that mocks religion and family, an anti-poverty bureaucracy that has managed to spend $3.5 trillion during the past 25 years without improving things, and a Congress that balks at change.

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Will he pay off the NEA by turning his back on meaningful education reform? Will he pay off the AFL-CIO by getting involved in an unnecessary, no-win battle over Section 14(b) of the Taft–Hartley Act, which authorizes state right-to-work laws? Will he pay off the public-sector unions by pushing for changes in the Hatch Act, which insulates federal employees from political pressure? Will he hand over the reins of the Environmental Protection Agency, Consumer Product Safety Commission, Food and Drug Administration, Federal Trade Commission, and Occupational Safety and Health Administration to his supporters at the Sierra Club, Natural Resources Defense Council, and Ralph Nader's Public Citizen?

Enterprise zones in distressed urban areas are a natural for Clinton.

Big business and big labor both will come calling, as will the radical environmentalists, feminists, AIDS "advocates," D.C.-statehood proponents, protectionists, managed traders, and sundry other special interests. The most important lesson the new president must learn is to just say "no."

Carter's Rose Garden

The new president will also have to take a hard look at some un-conservative parts of his campaign rhetoric. Does he really think he can generate enough income for his various economy-growing schemes by increasing taxes on the wealthy? The numbers just don't add up.

In the area of health-care reform, will he try to take the easy way out by imposing more federal mandates on business? Much of big business probably would go along with such an approach. Why not? Health-care costs already are built into their operating expenses. So what if continuing cost inflation makes them less competitive? They'll demand that Clinton and Congress protect them from foreign competitors who don't spend $3,600 per year per employee on health care. And if the new mandates cripple small business, so much the better from the perspective of big business: another potential competitor has been aced out by government. Is this the kind of change Clinton envisions?

Then there's the matter of controlling health-care costs. As Robert Schuettinger and Eamonn Butler pointed out in a landmark Carter-era book, *Forty Centuries of Wage & Price Controls*, governments throughout history have attempted to control the costs of goods and services. They have failed every time. The laws of economics are clear: government price controls, regardless of the euphemism used to describe them, produce shortages in the long run. Is this the future Clinton envisions—a future in which Health and Human Services (HHS) lawyers and accountants determine by regulation who will receive which medical services, under what circumstances, and when?

If President Clinton follows the right course, he will be a popular success. If he follows the wrong course, on the economy, on health care, and other key issues, he will be forced to retreat to the same Rose Garden where Jimmy Carter confronted his malaise.

Clinton's Challenge

Bill Clinton's challenge is to show that his "new covenant" is not a pot of warmed-over tax-and-spend mush left over from the days of Jimmy Carter. Such policies will help no one, including the president.

The out-of-office technocrats from the Johnson and Carter administrations, after a dozen or more years of political hibernation, have anxiously lined up with resumés in hand. As much as possible, Clinton must resist the easy temptation. They do not represent change.

An administration bent on real change—change for the better—would:

1) Tackle the budget deficit by restraining government spending. Although he waged rhetorical war against the Bush deficits during the campaign, Clinton now faces a tougher challenge: squaring his long list of costly campaign proposals—$80 billion for his Rebuild America Fund, $500 million for community development banks, and so forth—with his promise to cut the deficit in half within four years. If he needs help, conservatives stand ready to show the way. Heritage has identified more than $700 billion that could be saved over five years by slashing unnecessary government pork and redundancy. Some of it should be eliminated outright; if Clinton wants to know what happens to "infrastructure" dollars he should study the highway bill. Other programs could be shifted to the productive sector through privatization, a strategy that has won converts even in many of America's most liberal statehouses. New York Governor Mario Cuomo, for example, says he is "very strong" on privatization, and always has been. "I'll sell anything," he told the *New York Times*. He listed among the possibilities state-owned ski areas, hospitals, and the World Trade Center, now owned by the Port Authority of New York and New Jersey. The new president constantly needs to remind himself that the 1990 budget agreement so pleasing to the Washington establishment is the poison that killed both the recovery and the political career of his predecessor.

2) Empower poor and middle-income families. As Clinton apparently understands, the problems of poor and middle-income families are real. In many cases, however, government has contributed mightily to these problems. Public schools, for example, are a government monopoly. Democrats claim to know about monopolies, and they know what to do about them: bust them up and create competition. A school-choice voucher system would promote competition in education, and give poor and middle-income families some of the education options wealthier families enjoy. Such a system might even help public schools, which would be forced to become more responsive to parents as they faced tougher competition from private and parochial schools.

3) Champion tax relief, not tax increases. Families also are stressed because they have too few dollars chas-

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ing too many expenses. Inflation, now increasing at a modest 3 percent annually, is no longer the problem it was during the Carter years. The big problem today is taxes—especially the huge bite that Social Security and Medicare are now taking out of the paychecks of middle-America.

Middle-income families need tax relief. If President-elect Clinton is seriously bothered by the fact that the next generation will not inherit from its parents the same advantages and opportunities the baby boomers received from their parents, he needs to understand that Washington is to blame. In 1948, when the baby boomers' parents were starting their families, the typical family of four paid Washington 2 percent of its income in taxes. Today it pays 24 percent—with another 8 to 10 percent, on average, going to state and local government. The personal exemption in 1948 was roughly equal to 20 percent of the average family's income. Thus, the exemptions for the typical family of four shielded some 80 percent of income from taxation. To provide today's parents with the same level of tax protection enjoyed by their parents, the exemption would have to be raised to approximately $8,000.

4) Reduce the regulatory burden Washington places on American businesses and municipalities. Bill Clinton grew up in Hot Springs, Arkansas, population 32,462, according to the 1990 Census. To understand how pervasive the feds have become in our lives, he needs only to understand this: if federal regulators all lived in Hot Springs, the city would have to quadruple in size to accommodate the nearly 125,000 federal bureaucrats who make their livings harassing business. And harass they do. The Federal Register—the official encyclopedia of government rules and regulations—was a "modest" 20,036 pages thick in 1970. Today, it's more than triple the size: 67,716 pages, about 30 times larger than the two-volume Washington, D.C. Yellow Pages. It is estimated that government regulations cost each and every American family somewhere between $8,388 and $17,134 per year, more than the average family pays in taxes.

If Clinton feels compelled to pay off the interest groups, his reward will be a one-term presidency.

Regulation has become a way of life; we need to reverse this and make deregulation a way of life.

Let the record show clearly that it was Bill Clinton, not George Bush, who made an issue of the heavy regulatory burden during the campaign. But talking about a problem, and doing something about it are two very different things.

5) Press for a solution to the national health-care problem that won't make matters worse. There is no

UPI/Bettmann

Since Clinton made "growing" the economy his priority, let him propose growth-oriented tax cuts, modeled after John F. Kennedy's.

debate about what's wrong with the U.S. health-care system: rapidly escalating costs, combined with a growing number of individuals who are forced to fend for themselves because they don't have medical insurance. Since beginning his campaign for the White House, Clinton has offered two proposals for reforming the system. The first was a "play-or-pay" plan that would require employers to either provide medical benefits to their employees or pay a new tax to finance an expanded Medicaid-type program for the uninsured. Later in the campaign, he switched gears and embraced a concept known as "managed competition," which he would somehow meld with play or pay. To control costs, overall U.S. health-care spending would be limited by bureaucratic fiat, something known as "global budgeting"—a political euphemism for rationing.

There's a better way, however: the Heritage Consumer Choice Health Plan. And Bill Clinton need look no further than the Federal Employees Health Benefits (FEHB) Program for a working prototype of such a system. While not perfect, the 32-year-old FEHB system—which covers Congress and more than nine-million other federal employees, retirees, and dependents (or about one in 25 Americans)—is based on two economic principles normally absent from government programs: consumer choice and market competition.

A similar market-based national health system could

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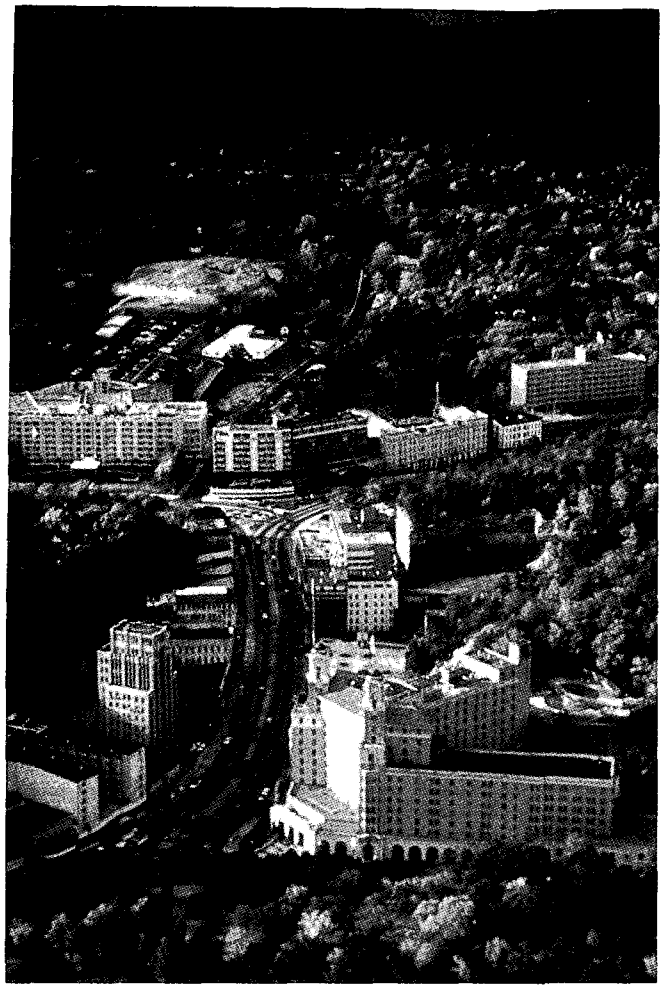

Hot Springs Visitors Bureau

Bill Clinton grew up in Hot Springs, Arkansas, population 30,000. If all federal regulators lived there, the city would have to quadruple in size.

be created by replacing the tax breaks now given exclusively to employer-based health plans—such benefits are now tax-free—with individual tax credits and vouchers for the working poor. With each family responsible for purchasing its own health coverage, we would see people select the plan best suited to their individual needs and circumstances, comparing price and value. This is how to control costs—by using the "invisible hand" of the market—not by government fiat.

Expect No Miracles

Conservatives should not delude themselves: they should expect no miracles from the Clinton administration. If Bill Clinton has charted a real change of course for the Democratic Party, he is entering a minefield. More likely than not, the "change" will be limited in scope, largely rhetorical, and painfully short-lived.

By focusing almost exclusively on deficits, taxes, and jobs, the Clinton campaign was able to deny George Bush the votes of conservative Reagan Democrats. When the new administration moves beyond the pocketbook issues, however, these same Democrats—who are conservative to the core on national defense, family matters, and a host of other issues—are likely to turn on it.

Conservatives must prepare to do battle with the new administration—not because we're looking for a fight, but because on matters of substance, a wide gulf is likely to separate us. Even if Bill Clinton wants to do the right thing, he will be pushed and shoved to the left by the powerful special interests that are the backbone of his party.

Conservatives have also learned some important lessons over the last dozen years that will serve us well in the months and years ahead.

We have learned that there are no permanent victories in Washington. Much of what Reagan accomplished in his eight years the Bush administration undid in four. While this is bad news, there's an important corollary: there are also no permanent defeats in Washington.

We have learned the power and rightness of our cause. Even today, few in Washington view the federal deficit with joy, suggest radical Keynesian pump-priming to reinvigorate the economy, or call for dumping additional billions into the black hole known as the War on Poverty. If there's a constituency for spend-more liberalism, it certainly wasn't apparent from the presidential race—where all three candidates claimed to be fiscal conservatives—or from the various state ballot referendums that were rejected or approved on November 3. Indeed, exit polls on November 3 indicated that nearly 60 percent of all voters equated their choice for president with a vote for smaller government and lower taxes.

Most Americans remain committed to the low-taxes, pro-growth, limited-government message of contemporary conservatism. Unfortunately, while the economic rhetoric of national politics remains mostly conservative, the economic agenda of Washington remains mostly liberal.

If Bill Clinton truly understands this, his chances of success are vastly improved. If he fails to learn from the mistakes of his predecessor, when the voters ask in 1996, "Are we better off today than we were four years ago?", the answer will likely be negative. And the Republicans will be given another chance. ☎

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The Unmaking of the President

Why George Bush Lost

GROVER G. NORQUIST

On Tuesday, November 3, 1992, the Bush presidency died of multiple, self-inflicted wounds.

George Bush inherited from Ronald Reagan a vigorous economy and a powerful Republican coalition of Americans committed to limited government, a strong national defense, and respect for traditional values. Bush lost because he reversed Reagan's economic policies, and because he abused the successful political coalition Reagan had built.

When Bush was inaugurated in January 1989, the economy was in its 75th month of continuous growth. Eighteen million jobs had been created since the Reagan tax cuts took effect on January 1, 1983. Inflation stood at 4.6 percent—down from 13.5 percent in 1980. And, as a result of economic growth and Reagan's restraint of domestic discretionary spending to 1-percent growth per year, the deficit had fallen three years in a row, and was forecast (by the Democrat-controlled Congressional Budget Office) to fall from $153 billion in 1989 to $135 billion in 1992, 2 percent of GDP.

After eight years of Ronald Reagan, almost as many voters were calling themselves Republicans as Democrats. The under-24 vote was strongly Republican. Reagan Democrats were becoming regular voters for Republican presidential candidates. The Reagan Republican Party was the party of economic growth at home and strength abroad, and the party most likely to protect taxpayers from the federal government. Left on automatic pilot, the nation and the Republican coalition were poised to reach new heights.

Yet 45 months later, George Bush was rejected by 32 states and 62 percent of the American people. Voters told pollsters they trusted Bill Clinton rather than Bush to create jobs, restore economic growth, and act in the interests of people like themselves. Young voters turned harshly against Bush, voting 43 percent to 34 percent for Clinton over the president. The Reagan Democrats went home. Republican Party identification plummeted, and of those Republicans who remained, Bush lost 27 percent. Over a third of conservatives voted for Clinton or Ross Perot. Most Americans who marked their ballots for the president did so more out of fear of Clinton than enthusiasm for Bush.

Masterful Foreign Policy

In understanding what went wrong, it is important to recognize where President Bush built on the Reagan legacy, and where he strayed from it.

Continuing Reagan's pressure on Moscow and its colonies, George Bush led the Free World to final victory in the Cold War, leaving a united Germany in NATO and a Soviet Union fractured into 15 independent republics. He skillfully commanded a military strengthened by the Reagan buildup, and managed a global coalition to defeat the fourth largest army in the world in its nearly successful bid to control two-thirds of the planet's oil reserves. He negotiated a trade agreement with Mexico (one of Reagan's first proposals) that will strengthen the U.S. economy and keep our southern neighbor on the path of peaceful reform.

Ronald Reagan brought the Soviets to the end game, but George Bush continued to push Gorbachev down the path of political reform and liberalization until there was no turning back. Granting aid too early might have ended the reforms, and pushing too hard would have alerted Gorbachev to the final destruction he was hurtling towards while trying to hold together his socialist empire. Moreover, by keeping America strong, by keeping the Western alliance together, by showing in the Persian Gulf that the U.S. was willing and able to resist aggression, and by not giving premature economic aid to the Kremlin, Bush reinforced Reagan's signal to Soviet military leaders that they could not get the West once again to exchange a relaxation of pressure for meaningless words, reversible reforms, or a handful of immigrants. It was on George Bush's watch that the single greatest external threat to American life, liberty, and the pursuit of happiness withered away.

The paradox of the 1992 elections is that a president with so many achievements could not convince even his supporters that he deserved a second term. George Bush's three fatal mistakes were to undermine the entrepreneurial economy, to alienate important parts of the Reagan coalition, and, through a foolish distinction

GROVER G. NORQUIST *is president of Americans for Tax Reform.*

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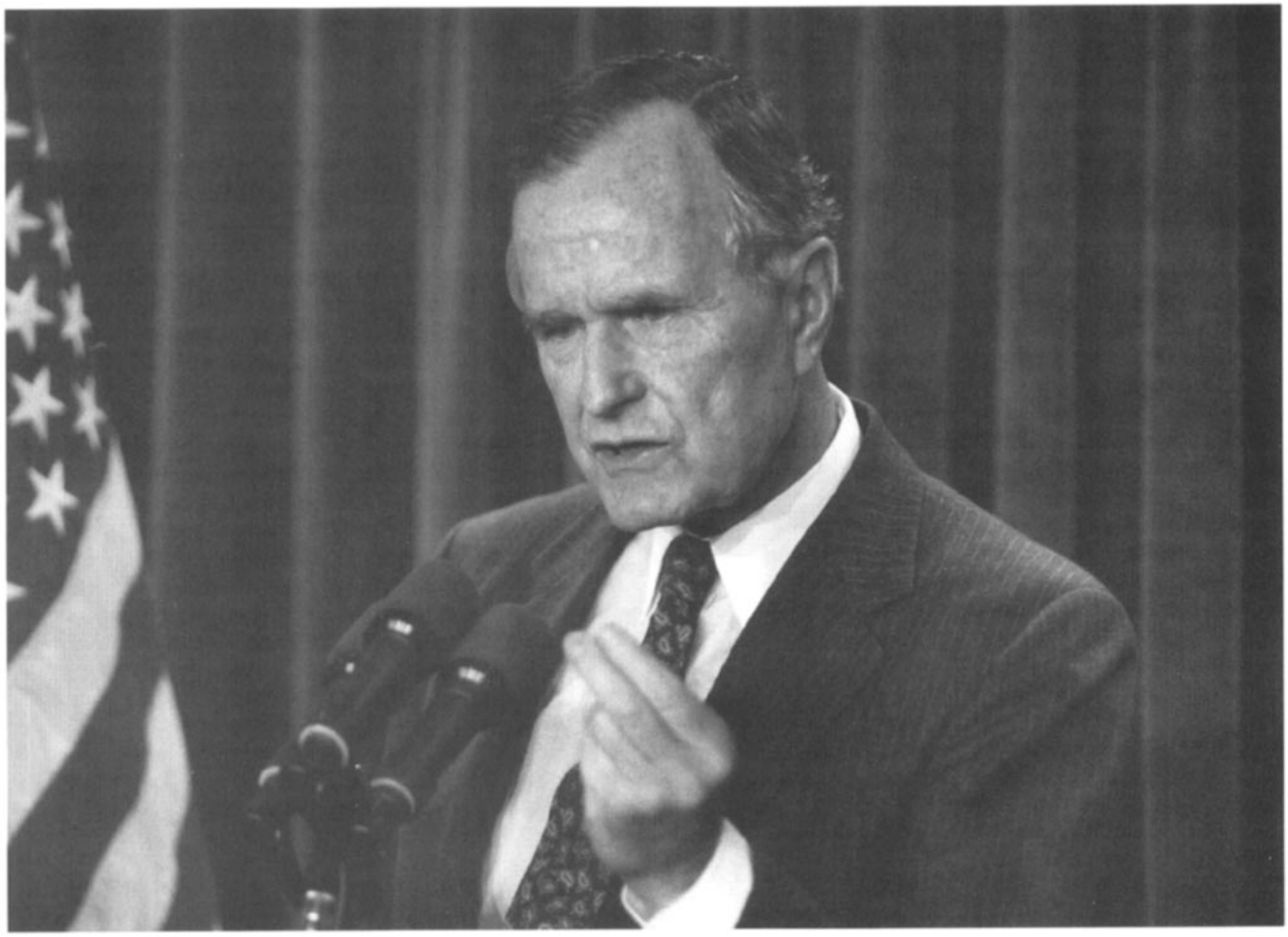

The paradox of the 1992 elections is that a president with so many achievements could not convince even his supporters that he deserved a second term.

between politics and governing, to keep his distance from the American people.

Return of Over-Regulation

George Bush's most serious mistake was to reverse the Reagan economic policies.

Although Clinton tried to describe the current stagnation as the result of "12 years of trickle-down economics," Bush's economic performance was a failure precisely because he rejected the Reagan economic policies, not because he continued them. Reagan created 18 million new jobs, increased GNP by 30 percent, and enlarged total wealth in the nation through his cuts in marginal tax rates, deregulation, and restraint in spending. Bush followed the opposite policies, with predictably opposite results.

One of these departures was a return to the regulatory excess of the Richard Nixon and Jimmy Carter years. Bush expanded the number of federal regulators from 100,000 back to the Carter level of 120,000. His banking regulation penalized healthy banks and starved small businesses of credit, without solving the underlying problem of federal deposit insurance—the incentive for banks and savings and loans to make risky investments when deposits are guaranteed by taxpayers. He proudly signed a Clean Air Act, which, for uncertain environmental benefits, will add $25 to $40 billion in regulatory costs on top of the $120 billion America now spends yearly on environmental regulation. He appointed William Reilly as director of the Environmental Protection Agency, who saddled small businesses with billions in higher costs, paperwork, and criminal penalties for honest errors; he also jeopardized the life savings of thousands of small-property owners with a capricious set of wetlands regulations. Bush boasted of the Americans with Disabilities Act, whose vague language and draconian penalties will do more to benefit lawyers than the handicapped.

A study by the Republicans on the Congressional Joint Economic Committee found that between 1989 and 1992, the regulatory burden on small businesses rose by more than 34 percent.

The Great Tax Betrayal

The most dramatic departure from Reaganomics was the budget deal Bush negotiated in 1990 with the Democratic Congress. Bush had overcome a 17-point deficit in the polls in 1988, when he declared himself a Reaganite with his "read my lips" commitment to "no new taxes." His betrayal of this commitment destroyed his personal credibility, and cemented Bush's image as an insider who, unlike Reagan, was part of corrupt, official Washington, not the tribune of the taxpayers

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defending "us" from "them."

It is hard to overestimate the damage the tax hike did to the Republican Party and George Bush. Bush's job approval rating dropped from 75 percent in September 1990 to 51 percent in October when he signed the budget deal. His disapproval rating rose from 19 percent to 37 percent. Republicans lost eight House seats in 1990. The number of Americans who thought the country was "generally on the wrong track" jumped from 54 percent to 73 percent.

The no-new-taxes pledge was the Republicans' central unifying principle. Bush threw it away, and gave the Democrats political cover by signing a deal with them. He thus muddied the distinction between the two parties on the issue where Democrats were most afraid of the voters' wrath. Later, in 1992, Clinton would laughingly say "read my lips" every time Bush tried to call him a tax-and-spend liberal.

The damage to the economy was also serious. The budget deal raised taxes by $175 billion, aggravating the recession. The budget deficit doubled from 1990 to 1992, in part because of slowing revenues, but also because there was no longer any effective spending restraint. The budget deal increased both taxes and spending.

Inflation-adjusted domestic spending has risen by over 8 percent a year under the budget agreement—nearly three times as fast as it rose during the Carter administration. Spending for 1991–1995 is now expected to be $500 billion higher than what Office of Management and Budget Director Richard Darman projected in the budget deal.

It was on George Bush's watch that the single greatest external threat to American life, liberty, and the pursuit of happiness withered away.

Reagan reduced domestic spending from 14.8 percent of GDP to 12.2 percent. Under Bush's budget deal, domestic spending climbed back up to 14.9 percent. The only effective constraint in the budget agreement applied to supply-side Republican members of Congress. Pro-growth tax cuts had to be offset by entitlement cuts or tax increases elsewhere.

The Sequester Road Not Taken

Darman and the media establishment now say Bush's big mistake was to make a tax pledge he never could have kept. This is nonsense. There was a way for Bush to stick with his tax pledge, but it would have required getting better strategic advice and better economic forecasting than he got from his budget director.

The alternative to the budget deal was to enforce a full or, more likely, a partial Gramm–Rudman sequester. The Gramm–Rudman law, passed by bipartisan act of Congress in the Reagan years, had reduced the deficit from 5 percent of GDP in 1985 to 3.2 percent in 1989. Combined with Reagan's and, for one year, Bush's refusal to raise taxes, Gramm–Rudman had proved a very effective lever for restraining federal spending.

Under Gramm–Rudman, Congress had to pass a budget for Fiscal Year 1991 with a deficit of no more than $74 billion, or face an automatic sequester according to a pre-arranged formula. The problem for Bush was that it looked as if he'd have to begin enforcing a sequester of $83 billion in October 1990. Half of this sum would come from defense. A 30-percent cut—$41.5 billion—would have been required for the $125 billion in domestic spending programs that Congress did not shield from sequestration, including such popular services as air-traffic control, childhood immunizations, and the FBI.

A less draconian option existed for Bush. This was to insist on a partial sequester of less than $83 billion, allowing Gramm–Rudman targets to slip a little, as had been done for Fiscal Year 1988. Bush could then have proposed alternative budget cuts, which would have been distributed more broadly and therefore less painfully than the Gramm–Rudman formula.

Even a partial sequester would have guaranteed a bloody fight between Republicans and Democrats in Congress. Distinctions between the parties, now obscured, would have been clarified. Bush would have kept the pledge that got him elected. The deficit may have risen modestly, but it would not have doubled.

Instead, Darman sold President Bush on three things: a negotiating strategy, a budget deal, and an enforcement mechanism—all of which weakened the Republican Party, strengthened the Democrats in Congress, destroyed the president's credibility with the American people, and miserably failed to solve the deficit problem they were supposed to solve.

Warnings Not Heeded

The souring economy and the popular turn against Bush and the Republicans following the tax and spend increase of 1990 might have been a warning shot for the Bush administration and nascent campaign, but the growing crisis in the Gulf masked the damage done to Bush and his governing coalition.

As Bush's popularity numbers skyrocketed with the onset of the air war, those around the president crowed that the economists and conservatives had been wrong. The people loved George Bush. They would soon forget—if they had not already forgotten—the budget deal. The people were lucky to have such a great leader of men and nations.

Basking in his 90-percent approval ratings, an overconfident Bush turned down numerous opportunities to undo the damage caused by the budget agreement. In early 1991, pro-growth Republicans in the House and Senate put together a jobs creation package—the DeLay–Wallop legislation to cut the Social Security tax, cut the capital gains tax, and speed up depreciation schedules for business investment, all written to fit within

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the budget deal's constraints. The Bush White House opposed the measure, saying "We don't need it." Even if the bill had failed to pass the Congress, it would have served the president and the GOP by provoking a partisan fight over the idea of cutting taxes and creating growth.

Paul Craig Roberts, assistant secretary for tax policy in the Reagan Treasury, pointed out in early 1992 that the president has the unilateral ability to index the taxation of capital assets by re-defining the word "cost" to include a correction for inflation. An executive order to this effect would have helped long-term capital formation and boosted the economy in the short run by freeing up assets now subject to punitively high taxation at sale. The Bush administration discarded this chance.

Misuse of the Veto

Nor did Bush use his veto powers to reinforce a Harry Truman-like strategy of running against Congress on economic policy. Until the cable-regulation legislation of October 1992, every single one of George Bush's 35 vetoes was upheld. Thus no piece of legislation, no tax, no regulatory burden was placed on the American people between 1989 and 1992 without George Bush's signed support. Had Bush been overridden, as Jerry Ford, Truman, and Reagan were, he could have correctly blamed congressional excesses for bad economic performance. Instead he was part of every error, every perceived and real betrayal of the taxpayers, every problem that flowed from Washington.

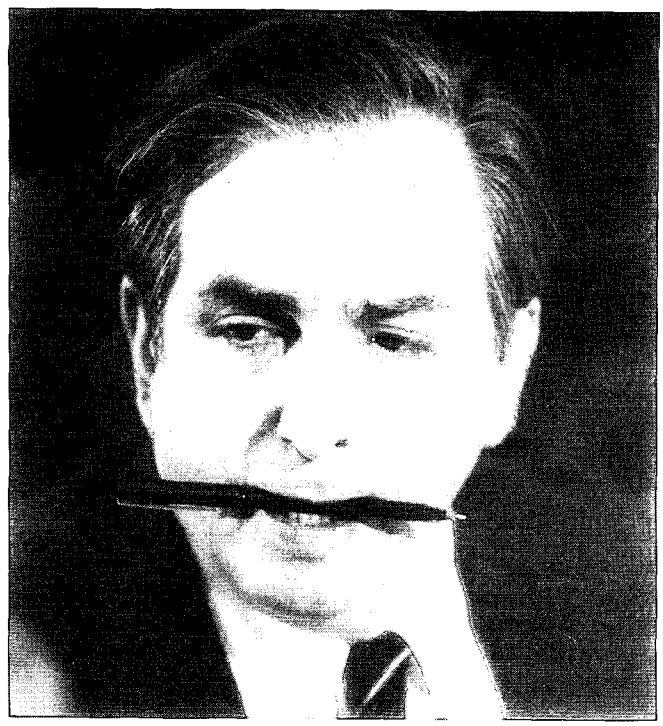
In turning aside requests for action, White House aides kept assuring outside friends that the president would soon give a speech to outline his vision of the solution to America's economic ills. That speech was to have been the 1992 State of the Union. Then it was to be the March 20 "Deadline" speech, complaining that Congress had not acted on his State of the Union proposals. Neither lived up to the promise.

In his acceptance speech at the Houston convention, Bush did articulate a program of tax relief contingent on spending and deficit reduction. And in September at the Detroit Economic Club, he offered a strategy for free trade areas as well as a more complete vision of tax and spending limitation. But then he ignored these themes in the rest of his campaign. Offered the opportunity in the debates to speak directly to the American people about his economic plans—without having his message distorted by the media—all Bush could come up with was that he'd put James Baker in charge of economic policy.

Bush needed more than talk, in any case. When the president broke his word on taxes, he rendered his word impotent. Only actions, unilateral and unambiguous, could redefine and save the Bush presidency. Having his most memorable words be a lie, he could not talk his way out of trouble and back into the hearts and trust of the American people.

Rooting out Reaganites

The president probably could have weathered a recession if he had maintained the enthusiastic support of his political base. Had he hung on to the Reagan Democrats,



AP/Wide World Photos

Richard Darman's budget strategy weakened the Republican Party, destroyed Bush's credibility with the American people, and failed to cut the deficit.

and the 27 percent of Republicans and 35 percent of conservatives who voted against him, this election would have had a much different outcome.

From the first, though, George Bush engaged in an unseemly and inexplicable effort to distance himself from Reagan and the Reagan coalition. Political appointees who had supported Reagan in 1980 were rooted out of government jobs with no consideration of competence or past service. Samuel Skinner, later Bush's Chief of Staff, openly boasted at an early Bush Cabinet meeting that he was the first cabinet secretary to completely purge his department of Reaganites.

White House aides began to leak disparaging remarks about Reagan and the Reagan staff. "The cowboys are gone," they chirped. The ideologues are gone. Now watch us, the serious pragmatic professionals. "Our people don't have agendas. They have mortgages," a Bush aide was quoted as saying in the *Washington Post* two days before the Bush inaugural.

In 1980, Ronald Reagan had recognized that there were two wings of the Republican Party and reached out to the establishment, liberal, and smaller wing in choosing George Bush as his running mate. Reagan allowed Bush to bring hundreds of his campaign supporters into the administration, from Chief of Staff James Baker on down.

Bush made an initial gesture to party unity in adding a conservative, Dan Quayle, to his 1988 ticket, and by choosing John Sununu as chief of staff and Jack Kemp and William Bennett for cabinet positions. For the most part, though, the political appointees in the Bush administration were chosen not to represent coalitions in the party, or to transcend ideological differences, or even to provide for geographic balance. This was to be a

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Ukranian Congress Foundation

Americans of East-European origin were appalled by Bush's disrespect for Baltic, Ukrainian, and Croatian national aspirations.

government of George and Barbara Bush's personal acquaintances: loyalists and friends from college, business, government, and party. Most Reagan conservatives soon learned they were not wanted. And those who had key positions, such as Kemp and Bennett, were neutralized and ignored.

Mistreatment of Reagan

A greater miscalculation was Bush's mistreatment of Ronald Reagan and the 1980s. The Bush White House allowed the press and the Democrats to attack the Reagan presidency without recognizing that the portrayal of the 1980s as a "decade of greed" when only "the rich got richer" was an attack on the low-tax, deregulatory strategy of the modern Republican Party. Darman and Treasury Secretary Nicholas Brady actually promoted the argument that Bush's economic problems resulted from Reagan's legacy. While Bush did inherit some problems—among them the savings and loan fiasco and a high but shrinking budget deficit—he also inherited a dynamic entrepreneurial economy, where the vast majority of the American people, not only the rich, were becoming more prosperous. Bush's failure to defend those Reagan policies that worked was strongly resented by the Reagan coalition; it was a serious political, as well as economic, misjudgment.

Resented even more was Bush's failure to give credit to Reagan for playing such an important role in winning the Cold War. Bush did not even mention Reagan by name on Christmas 1991 in his five-minute report to the nation on the fall of the Soviet empire. On that day the red flag was removed from the top of the Kremlin and all the sacrifices of Americans—from the cold hills of Korea to the rice paddies of Vietnam, to the taxes paid for the defense of America and our allies—were finally rewarded. That was the time for a speech that told the history of the past 40 years. The lies of the left that apologized for Soviet imperialism and terror were naked before the world. All that Reagan and the conservatives in the GOP had fought for was upheld. Yet, to avoid crediting Reagan, Bush gave equal credit to both parties for the successful outcome of the Cold War. Bush's failure to give Reagan proper credit haunted him in the 1992 campaign. By denying the world-changing differences between Carter and Reagan, Bush was unable to explain why Clinton would be a worse choice.

Bush could have avoided remaining in Reagan's shadow by standing on his shoulders and building the low-tax, small-government, strong-defense coalition that was the 1988 Republican Party. Truman had succeeded domestically by building on Franklin Roosevelt's coalition. Bush instead ran away from Reagan's policies and, in the process, his political base.

Alienating Key Constituencies

As Bush pointedly separated himself from Reagan, he also alienated virtually every constituency in the Reagan coalition. The sharpest blow, of course, was the budget deal. Bush's "no-new taxes" pledge was his contract with economic conservatives. He broke that contract, and was two years late in his grudging apologies.

Bush was equally cavalier with smaller but very important constituencies. In 1988 he was endorsed by the 3-million-strong National Rifle Association. The NRA mailed 3 million magazines endorsing Bush and vilifying the pro-gun control position of Democratic candidate Michael Dukakis. Then, in his first year in office, Bush banned the importation of some semi-automatic rifles and flirted with signing the Brady bill. Bush fell for the media-driven fallacy that semi-automatic rifles are "assault" rifles. To the millions of American gun owners, Bush demonstrated that he didn't understand the issue and culturally was divorced from their lives.

As a result, in 1992 the NRA refused to endorse George Bush, and he lost the gun control issue that worked so decisively for Republicans in 1980, 1984, and 1988. The White House thought individuals and organizations concerned with the rights of gun owners had nowhere else to go. But they did go somewhere else—into House and Senate races where gun control advocates such as Joan Kelly Horn, Beryl Anthony, and Tom Coleman were defeated.

The National Right to Work Committee, with a membership of over 2 million, had mailed heavily in 1988 in support of Bush's commitment to protect Section 14(b) of the Taft–Hartley Act, which guarantees the rights of workers not to be coerced into unions. Bush and his Labor Department responded by failing for four years to enforce the Supreme Court decision in *Beck* v. *Communications Workers of America.* The *Beck* decision, handed down in 1988, forbids unions from extracting more in compulsory dues than they need to negotiate and maintain an individual worker's contract. In the case of the million-member CWA, fully 80 percent of union dues could be refunded to workers if requested.

If Bush had acted immediately to enforce *Beck,* every union member could have requested and received up to $400 from his or her union each year. (Union dues average $500 annually, and the CWA refund figure of 80 percent is a conservative estimate of the financing of other unions.)

If only 1 percent of the nation's 17 million union members had asked for refunds, unions would have been denied $70 million a year they spent on behalf of Democratic candidates and other political causes. But the regulations necessary to enforce *Beck*—requiring

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unions to keep books so members could tell how their dues are being spent, and requiring the posting of notices explaining the rights of workers—did not become final until a few days before the election.

Republican members of the House repeatedly wrote letters to Secretary of Labor Elizabeth Dole, and later to her successor, Lynn Martin, urging them to enforce the *Beck* decision. Dozens of Republicans were narrowly defeated in 1990 and 1992 with union help that could have been reduced if Beck had been enforced.

Worse, the Bush administration lobbied the Supreme Court in legal briefs to impose union-only hiring discrimination on a $1.6 billion project to clean up Boston Harbor. The September 1992 newsletter of National Right to Work, which was sent to 2 million donors, did not focus on the threat of Bill Clinton campaigning to repeal Taft-Hartley but instead had a banner headline: "Bush slaps Right to Work in the face; sides with union officials on Boston Harbor dispute."

Citizens concerned about the abuses of labor unions and the misuse of compulsory union dues also had other options besides supporting Bush. They, too, focused on House and Senate races to ensure the ability to defeat the unions' wish list of legislation.

Offending the Religious Right

Through his court appointments and his unwavering opposition to abortion and fetal-tissue research, Bush did end up winning the overwhelming support of pro-family activists and conservative evangelicals and Catholics. Even here, though, Bush offended this large constituency so often that at the Republican convention in 1992, Bush had to shore up support from pro-family conservatives, something that should never have been in doubt. Bill Clinton, in contrast, was able to keep his supporters in the cultural left mostly off-stage during the Democratic convention.

Religious conservatives had been outraged by the National Endowment of the Arts' use of tax dollars to fund obscenity and blasphemous works such as a jar of urine with a crucifix in it. The Endowment's chairman, John Frohnmeyer, eventually was dismissed, but for months the White House defended him. The message was twofold: the cultural elite could practice religious sacrilege and mockery of middle-class American values, using the tax dollars of working men and women; and the Bush White House feared irritating the arts community more than it feared upsetting Evangelicals and Catholics, many of them Reagan Democrats, who were understandably offended by this taxpayer-funded bigotry.

Voters who turned to the Republicans as their champion in the struggle against violent crime watched in confused horror as George Bush joined liberal opinion leaders in responding to the Los Angeles gang-led violence with calls for more government social-welfare programs. The man who knew instinctively how to deal with Saddam Hussein offered appeasement and tribute to our domestic terrorists.

Even in his strongest suit, foreign policy, the president antagonized an important constituency—East European ethnics. The captive-nations organizations have been stalwarts of the Republican coalition. Many Americans of Lithuanian, Latvian, Estonian, Ukrainian, and to a lesser extent Polish origin blamed Franklin Roosevelt for Yalta and the McGovernized Democratic Party for its failure to oppose Soviet colonialism militarily or even rhetorically.

Yet when the moment arrived to achieve the Eisenhower/Dulles promise of a "rollback," the Bush administration repeatedly sided with Mikhail Gorbachev and Moscow against democratic forces in the republics. Bush delayed recognition of the newly independent Baltic states and gave a speech in Kiev, the capital of Ukraine, whose most memorable sentence was a condemnation of "suicidal nationalism." The result was that Baltic and Ukrainian voters, concentrated in key battleground states like Illinois, Ohio, Michigan, and Pennsylvania, turned sharply against the president.

A similar turnaround occurred among the 2.5 million Croatian-Americans, who were appalled by Bush's insensitivity to Croatian national aspirations. James Baker traveled to Belgrade in 1991 to tell the Communist government there that America valued stability and a unified Yugoslavia over the freedom and independence of Croatia, Slovenia, and Kosovo. Croatian-Americans saw this as an open U.S. invitation for Serbia's aggression and massacres in their homeland. Before this betrayal Croatian-Americans were about as Republican in their voting and financial contributions as Cuban-Americans.

No piece of legislation, no tax, no regulatory burden was placed on the American people between 1989 and 1992 without George Bush's signed support.

It was Clinton who would reach out for captive-nations and Croatian votes with his compelling observation at the Los Angeles World Affairs Council on August 13: "From the Baltics to Beijing, from Sarajevo to South Africa, time after time this president has sided with the status quo against democratic change; with familiar tyrants rather than those who would overthrow them; with the old geography of repression rather than a new map of freedom."

Pride of Coriolanus

Bush's third great error was his specious distinction between politics and governing. This distinction, shared by top advisers such as Sununu, Baker, and Darman, set the tone for his administration and damaged him in two fatal ways. He suffered as a president, because he didn't

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realize that effective governing requires strengthening one's political allies and keeping one's political enemies on the defensive. And he suffered as a campaigner, because he considered politics as something dirty, to be stooped to only for a few months every four years, rather than as the high art of honest persuasion.

Bush seemed to exhibit the pride of Shakespeare's Coriolanus, the brave Roman general who believed he deserved the consulship but would not lower himself to ask the people for their votes. Where Reagan talked with the American people, Bush made deals with foreign leaders or, behind closed doors, with the Democratic congressional leadership. He supported many excellent domestic policy proposals—school choice, capital gains tax cuts, and term limits—but he never made his case for these policies before the American people. As a result, Congress set and controlled the agenda.

Bush's refusal to explain his goals in the Gulf War went beyond inarticulateness. He wielded slogans that didn't communicate. Another Hitler. New World Order. Ozone Man. Tension City. He began his presidency by shedding the talented Reagan speechwriters and making it obvious to all inside the White House the low regard with which he viewed their replacements. When he was accused of running a racist campaign in 1988, he made no effort to set the record straight. When a man is accused of pandering to and manipulating the American people, and he doesn't consider it a grave insult, it speaks volumes about how he views the American people and how lightly he judges his commitment to them. His disdain for rhetoric was clearest in his casual breaking of his "no-new-taxes" oath. There was no sense of shame, no apology to the American people for the betrayal of their trust. Why bother? It was just something he said to get elected.

From the first, George Bush engaged in an unseemly and inexplicable effort to distance himself from Reagan and the Reagan coalition.

"Dirty" Politics

Because Bush didn't take political rhetoric seriously, he was willing to call Clinton a "bozo," and to imply—without evidence—that Clinton as an Oxford student had been a dupe of the Soviets. Unsubstantiated charges such as this delegitimize valid charges, and give serious anti-Communism a bad name. But anything goes in politics, Bush implied.

Absent the late Lee Atwater, the campaign strategist for 1988, Baker and Bush did not understand the positive, pro-growth, pro-jobs message of the Reagan years, and thus thought the 1988 victory over Dukakis stemmed from a few gut punches judiciously, if sometimes unfairly, thrown. So they saw no need to have a positive vision in 1992, and expected to knock Clinton out in a few rounds: after all, with his draft and womanizing problems, Clinton was even more glass-jawed than Michael Dukakis.

Conversely, Bush allowed the press and Democratic politicians to paint his 1988 campaign as unfair, negative, and racist. The 1988 discussion of William Horton's furlough highlighted Dukakis's weakness on the crime issue. It was, in fact, a very fair and hard-hitting criticism of an indefensible act by Dukakis as governor. But by wincing whenever "Willie Horton" was thrown at them, Bush and his aides gave credence to the idea that this was somehow an underhanded codeword for racism.

Only the humorist P. J. O'Rourke correctly threw the Horton issue back at the Democrats. On the now-defunct Fox program, *Off the Record*, Democratic activist Bob Beckel used "Willie Horton" as slang for a dirty trick. O'Rourke responded, "Now wait a minute, Bob.... What about the issue bothers you? Do you think William Horton was not guilty of murder? Do you think it is a good idea to let murderers out of prison on weekends for a vacation?" Beckel immediately backed down and stated his preference to "not dwell on the past."

The failure to defend the 1988 campaign as honest and legitimate led to the paralysis of the 1992 campaign. The Democrats could simply assert, "we know they campaign dirty," and they defined every fair shot, every telling blow as unfair. And since the Bush people thought all politics was dirty, they had no strategy for hitting cleanly and then defending their attacks.

No Mandate for Clinton

Bush White House and campaign aides offer two excuses for their failure to bring home a Republican victory in 1992: We were up against a tide for change, and the social conservatives hurt us. The media offers a third—the voters gave Bill Clinton a mandate.

All three are false. History was running with Bush. Brian Mulroney in Canada in 1988, Helmut Kohl in Germany in 1990, and John Major in Britain in April 1992 all pulled off unexpected center/right victories.

The Republican platform on abortion was unchanged from the winning platform of 1984 and 1988. If the Republican convention in Houston was perceived as more directed to social conservatives, it was because Bush had failed to consolidate his traditional-values base over three years and because he gave insufficient emphasis at the convention to a serious and believable pro-taxpayer, pro-growth, pro-small business agenda.

Finally, Bill Clinton did not win a campaign of ideas and issues. He campaigned against term limits, and they passed overwhelmingly in all 14 states where they were on the ballot—with an average of 66 percent of the vote. Term limits got a total of 20 million votes in those 14 states to Bill Clinton's 14 million votes.

Clinton offered four major domestic planks: raise taxes on the rich; spend billions on the nation's infrastructure (read: union-controlled construction projects in big, Democratic-controlled cities); government-controlled health care; and more expensive en-

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Bush lost because he reversed Reagan's economic policies, and because he abused the successful political coalition Reagan had built.

vironmental regulation.

On Election Day four state initiatives spoke directly to these four themes. Voters in California voted on Measure 167—an initiative which would have raised taxes on businesses and individuals making more than $250,000. It was defeated by a 16-point margin, 58 percent to 42 percent. Also in California, a "Clintonesque" mandatory government health care regime was defeated 69 percent to 31 percent. In New York state, an infrastructure bond that promised thousands of government jobs in return for additional state debt was defeated 55 percent to 45 percent. And while carrying Massachusetts, the green ticket of Clinton–Gore watched a mandatory recycling bill be rejected 60 percent to 40 percent.

Voters in Colorado rejected a 1-percent sales-tax increase to pay for education billed as "pennies for the children," and demanded that all tax increases be voted on by the people. Arizona passed an initiative to require a two-thirds vote of the legislature to raise taxes. Californians repealed part of Governor Pete Wilson's record tax hike, and Connecticut required a limit on state spending increases to a level below inflation.

In all, 10 out of 11 statewide ballot questions that would have raised taxes were defeated. Six out of eight measures to cut or limit taxes and spending passed.

Kinder and Gentler

George Bush has lost his presidency, but the establishment is not yet finished with him. One can already see the outlines of the bargain that liberalism will offer Bush: repudiate Reagan and all his works, blame the slow economy on Reagan's tax cuts and deficits, apologize for appealing to evangelicals and Catholics, and then we will rehabilitate you by splitting the credit for the end of the Cold War between your managerial skills and Gorbachev's vision and courage. Reagan will be left out of the new and improved history of the end of the Cold War.

Bush should refuse this deal; for history will rightly credit him with great successes as well as great failings.

History will be kinder and gentler than the voters of 1992 to the president who helped liberate 450 million people and one-sixth of the territory of the Earth.

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From Carter to Reagan to Bush

A Statistical Comparison of Presidencies

Pierre Kim

Median family income in final month of term
Carter: $34,765 | Reagan II: $37,080
Reagan I: $34,667 | Bush: $35,939

Median family income for whites in final month of term
Carter: $36,221 | Reagan II: $39,065
Reagan I: $36,310 | Bush: $37,783

Median family income for blacks in final month of term
Carter: $20,959 | Reagan II: $22,374
Reagan I: $20,237 | Bush: $21,548

Rise in unemployment rate during term
Carter: 0 percent | Reagan II: -1.8 percent
Reagan I: -0.3 percent | Bush: 2.1 percent

Rise in unemployment rate for blacks during term
Carter: 0.4 percent | Reagan II: -4.2 percent
Reagan I: 1.5 percent | Bush: 2.0 percent

Unemployment rate in final month of term
Carter: 7.5 percent | Reagan II: 5.4 percent
Reagan I: 7.2 percent | Bush: 7.5 percent

New jobs created during term
Carter: 9,027,000 | Reagan II: 10,431,000
Reagan I: 7,347,000 | Bush: 968,000

New jobs created for blacks during term
Carter: 1,076,800 | Reagan II: 1,540,000
Reagan I: 806,000 | Bush: 221,000

Employment in private (non-farm) sector in final month of term
Carter: 80.5 million | Reagan II: 96.1 million
Reagan I: 87.3 million | Bush: 95.9 million

Civilian employment in final month of term
Carter: 99 million | Reagan II: 116.7 million
Reagan I: 106.3 million | Bush: 117.7 million

Average annual real growth rate of domestic spending
Carter: 2.95 percent | Reagan II: 0.19 percent
Reagan I: 0.87 percent | Bush: 7.54 percent

Average annual real growth rate of entitlement spending
Carter: 3.7 percent | Reagan II: 0.22 percent
Reagan I: 2.5 percent | Bush:7.9 percent

Domestic discretionary spending in final year of term
Carter: $205.7 billion | Reagan II: $184.1 billion
Reagan I: $181.6 billion | Bush: $211.9 billion

Domestic entitlement spending in final year of term
Carter: $457.1 billion | Reagan II: $505.2 billion
Reagan I: $502.6 billion | Bush: $653.6 billion

Total domestic spending in final year of term (in billions)
Carter: $662.8 | Reagan II: $689.3
Reagan I: $684.3 | Bush: $921.9

Average annual real growth rate of domestic discretionary spending
Carter: 1.41 percent | Reagan II: 0.38 percent
Reagan I: -2.86 percent | Bush: 3.60 percent

Pages in the Federal Register of new regulations in final year of term
Carter: 87,012 | Reagan II: 53,376
Reagan I: 50,997 | Bush: 67,716

Average annual growth rate of gross national product
Carter: 2.5 percent | Reagan II: 3.2 percent
Reagan I: 2.3 percent | Bush: 0.9 percent

Annualized CPI inflation rate in final month of term
Carter: 11.8 percent | Reagan II: 4.7 percent
Reagan I: 3.5 percent | Bush: 3.0 percent

Pierre Kim *is a recent graduate of the University of California at Berkeley.*

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Rise in inflation rate during term
Carter: 6.6 percent
Reagan I: -8.5 percent
Reagan II: 1.2 percent
Bush: -1.7 percent

Rise in misery index (CPI inflation rate plus unemployment rate) during term
Carter: 6.85 percent
Reagan I: -8.6 percent
Reagan II: -0.6 percent
Bush: 0.4 percent

Highest capital-gains tax rate during term
Carter: 49.1 percent
Reagan I: 20 percent
Reagan II: 28 percent
Bush: 28 percent

Net capital gains income by individuals in final year of term
Carter: $23.1
Reagan I: $53.8
Reagan II: $152.8
Bush: $108.8

Federal personal income-tax rate for top brackets
Carter: 70 percent
Reagan I: 50 percent
Reagan II: 28 percent
Bush: 31 percent

Rise in interest rate (long-term government bond rate) during term
Carter: 5.5 percent
Reagan I: -0.7 percent
Reagan II: -2.1 percent
Bush: -2.1 percent

Billions Americans gave to charity in final year of term
Carter: $80.5
Reagan I: $92.5
Reagan II: $119.5
Bush: $124.8

Percentage of high-school seniors who have ever used illicit drugs in final year of term
Carter: 65 percent
Reagan I: 62 percent
Reagan II: 54 percent
Bush: 47 percent

Average prime rate charged by banks in final month of term
Carter: 18.97 percent
Reagan I: 12.04 percent
Reagan II: 9.3 percent
Bush: 6.5 percent

Budget deficit in final year of term [in billions)
Carter: $119.0
Reagan I: $264.6
Reagan II: $167.2
Bush: $320.2

Deficit as a percentage of gross domestic product in final year of term
Carter: 2.7 percent
Reagan I: 5.3 percent
Reagan II: 3 percent
Bush: 5.5 percent

Gross federal debt in final year of term
Carter: $1.5 trillion
Reagan I: $2.2 trillion
Reagan II: $3.1 trillion
Bush: $4.2 trillion

Net national debt in final year of term
Carter: $1.2 trillion
Reagan I: $1.8 trillion
Reagan II: $2.4 trillion
Bush: $3.2 trillion

Net interest paid on the national debt in final year of term (in billions)
Carter: $103.5
Reagan I: $161.4
Reagan II: $184.1
Bush: $197.4

Interest payments as a percentage of the federal budget (average over term)
Carter: 8.8 percent
Reagan I: 12.3 percent
Reagan II: 14.1 percent
Bush: 14.4 percent

Annual crime rate in final month of term (per 100,000 population)
Carter: 5,950
Reagan I: 5,031
Reagan II: 5,664
Bush: 5,897

Dow Jones Industrial Average during term (average of daily closes)
Carter: 862.67
Reagan I: 1,044.78
Reagan II: 1864.45
Bush: 2789.83

Percentage of Americans living below poverty level in final month of term
Carter: 14.0 percent
Reagan I: 14.0 percent
Reagan II: 12.8 percent
Bush: 14.3 percent

Percentage of whites living below poverty level in final month of term
Carter: 11.1 percent
Reagan I: 11.4 percent
Reagan II: 10 percent
Bush: 11.3 percent

Percentage of blacks living below poverty level in final month of term
Carter: 34.2 percent
Reagan I: 31.3 percent
Reagan II: 30.7 percent
Bush: 32.7 percent

Per capita personal income in final month of term
Carter: $15,928
Reagan I: $17,525
Reagan II: $19,048
Bush: $19,826

Per capita disposable income at end of term
Carter: $13,700
Reagan I: $15,292
Reagan II: $16,820
Bush: $17,361

N.B.: "Final month/year of term" refers to president's last month or year in office, or, for tax and budget figures, the fiscal year that began in October of his last year. Example: Fiscal 1993 began October 1, 1992; this is Bush's last fiscal year. "During term" signifies four-year data from the January that the president is inaugurated to the January that he leaves office. Data for the Bush presidency represent the latest available information, whether for September 1992 (monthly) or 1991 (yearly). All dollar figures represents constant 1991 dollars based on the Consumer Price Index , or, for budget figures, the composite deflator.

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Going For The Silver

Why The GOP Placed Second in The Race for Congress

John J. Pitney Jr.

In our form of government, wrote James Madison, "the legislative authority necessarily predominates." The 1992 congressional elections were more important than the presidential race in determining the political direction of the country, especially for domestic policy.

Conservatives should not be comforted by the results. During the early days of the election cycle, Republicans looked to big congressional victories in 1992. Respected nonpartisan analysts such as Charles E. Cook and Richard Cohen predicted that the GOP could score a net gain of 25 to 30 House seats. In the Senate, Republicans thought they had an outside chance of regaining a majority. Democrats were defending 20 seats compared with the Republicans' 15—and several of the Democratic senators had won their previous elections by slim margins. Richard Shelby of Alabama, for instance, had a 1986 plurality of 7,000 votes of 1.2 million cast. In both chambers of Congress, Republicans figured that anti-incumbency sentiment would wound both parties, but would hurt the Democrats much worse because they had more to lose.

On election night 1992, disappointment ruled the GOP and incumbents reigned on Capitol Hill.

In the House, Republicans scraped up a 10-seat gain—from 166 to 176 seats. These victories barely made up for their 1990 losses and left them far below their 1980 level of 192 seats. In the Senate, Republicans had a net loss of one seat on election night. They broke even two weeks later, when Paul Coverdell won a runoff in Georgia, but still remained eight seats short of a majority. And in both chambers, anti-incumbency fizzled. Apart from redrawn districts that pitted lawmakers against each other, House incumbents had a November victory rate of 94 percent. Of 27 incumbent senators on the ballot, only four went down to defeat.

Of those defeated, North Carolina Democrat Terry Sanford had serious health problems, and California Republican John Seymour had gained office through appointment, never having won a statewide election. In Georgia, Democrat Wyche Fowler actually led Paul Coverdell on election night, although with less than the required majority. Only in Wisconsin, where Democrat Russell Feingold beat Republican senator Bob Kasten, did a challenger win a clear victory over an entrenched and healthy incumbent. Senator Shelby won re-election by nearly two-to-one.

Trouble in Suburbia

In hindsight, it is clear that pro-Republican trends never had as much strength as they seemed. And rumors of incumbency's death were greatly exaggerated.

For years, congressional Republicans had been seeking salvation in reapportionment and redistricting. As a result of the 1990 census, a net total of 15 House seats shifted from the declining Northeast and Midwest to the growing South and West. And within many states, population and political representation continued to move from the central cities to the suburbs. In 1992, for the first time ever, suburbs accounted for a majority of the total vote. The South, the West, and the suburbs had been GOP strongholds in presidential elections during the 1980s, so many observers reasoned that the seat shifts would result in Republican gains.

Unfortunately for the GOP, the 1992 election took place amid unhealthy real-estate values. The areas that gained seats had a large number of homeowners; indeed, that is a defining characteristic of suburbia. Consequently, many of the new lawmakers were chosen by voters worried about their loss of wealth and bitter about the GOP's apparent inaction.

But Republican troubles predated the real estate crash. Even while growth areas were voting for Reagan and Bush in the 1980s, they were sending large numbers of Democrats to Congress. Throughout the GOP White House years, the Democrats won firm majorities of House seats in every region, and they held the GOP to a virtual draw in suburbia.

How? By carefully addressing local concerns, and by taking the occasional conservative issue position, liberal Democrats have been able to seize and hold conservative constituencies. One example is Congressman George Brown, a Democrat from southern California. While

John J. Pitney Jr., *assistant professor of government at Claremont McKenna College, was formerly acting director of Research at the Republican National Committee.*

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representing a district that voted for Reagan and Bush, Brown built a solidly liberal voting record—his 1991 ADA rating was 70 percent. Exploiting his chairmanship of the Science, Space, and Technology Committee, Brown touted his ability to bring high-tech jobs to an economically ailing area. So despite a well-funded challenger and new district boundaries that added GOP voters, Brown won re-election by a seven-point margin in 1992.

Disaster in California

Brown's victory was just one of many disappointments for California Republicans. Throughout the 1980s, they complained that a Democratic gerrymander had cheated them of several House seats; 1990 was to be their big chance. While the census added seven seats to the state delegation, the election of Republican Governor Pete Wilson enabled the GOP to block another gerrymander. With new districts and fairer boundaries, Republicans dreamed of contributing up to a dozen additional seats to the House GOP's strength.

In 1991, Wilson did indeed veto Democratic plans for the state's congressional districts. Court-appointed experts drew the lines, which rendered many districts politically competitive. But timing worked against the GOP. In recent years, the state had been visited by several plagues: killer frosts, droughts, earthquakes, riots, massive defense layoffs, and, of course, declining home values. The California party's warring ideological factions seemed at times to be aiming more of their fire against each other than against the Democrats. With Republicans in both the White House and the California governor's mansion, voters turned their frustrations against the GOP. So although the California GOP did have a net gain of three seats, the Democrats had a net gain of four.

Alien in North Carolina

Nationwide, many conservatives charged that another kind of gerrymander was slithering across the map—even though this form would purportedly help the GOP. Because of 1982 voting rights legislation and subsequent court decisions, the states felt pressure to draw "majority-minority" districts wherever possible. Despite the GOP's platform stand against quotas, many Republicans supported voting-rights litigation in the hopes of blocking Democratic gerrymanders and improving GOP chances in House races. When minority voters were "packed" into certain districts, the Republicans assumed, the surrounding districts would lose Democratic voters. One GOP official estimated that up to 62 House districts could thus become more winnable for Republican candidates.

But in most of the states affected by voting rights requirements, Democrats controlled the redistricting process. With the aid of state-of-the-art databases, they were able to draw the new minority districts in ways that generally protected white incumbents. One such district, North Carolina 12, cut a narrow corridor through several counties, vaguely resembling the creature from *Alien*. Thanks to these maneuvers, only three Democratic incumbents—Ben Erdreich of Alabama, Thomas McMillen of Maryland, and Jerry Huckaby of Louisiana—lost because Democratic-leaning minority voters had been placed into minority districts.

Photofest

Congress's freshman class will move it only slightly to the right.

Another "silver bullet" that misfired was the huge tide of anti-incumbent sentiment fueled by scandals at the House Bank and Post Office. Republicans hoped that charges of corruption and mismanagement would turn the public against the Democratic regime that had run the House since 1955. As a political tactic, the emphasis on scandal had two serious flaws. First, many of the top Democratic overdrafters, such as John Conyers of Michigan, represented districts that no Republican could win. Many others either lost their primaries or voluntarily stepped down, thus depriving the GOP of specific targets. So although Republicans did take a few seats away from Democratic overdrafters (*e.g.*, Downey of New York and Oakar of Ohio), the Democrats bled less than the GOP had hoped.

A second reason for the issue's failure was that it fired both ways; a number of Republicans had themselves written overdrafts. Mickey Edwards of Oklahoma, chairman of the House Republican Policy Committee, lost his primary after news reports highlighted his 386 overdrafts. Vin Weber of Minnesota, with 125 overdrafts, stepped down rather than face a nasty re-election struggle. Guy Vander Jagt of Michigan ran afoul of the issue even though he had written no bad checks at all. As chairman of the National Republican Congressional Committee, he produced advertisements lambasting the Democratic leadership for the check scandal—but he also endorsed fellow Michigan Republican Bob Davis, who had the third-highest number of overdrafts with 878. Many local Republicans accused him of gross inconsistency, and he lost his primary to an obscure challenger. Vander Jagt's defeat illustrates why Republicans had trouble turning the House Bank into a decisive national issue.

Huge Advantages for Incumbency

The House Bank was just one of the "perks" enjoyed by incumbent lawmakers. Another was the franking privilege, the power to send out mail—mainly self-promoting newsletters—at taxpayer expense. Although

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Congress had enacted some mild curbs on the frank, lawmakers exploited it with ever-greater efficiency and effectiveness. During the first eight months of 1992, the volume of outgoing House mail was 40 percent higher than in the comparable period of 1991. According to the National Taxpayers Union Foundation, about three-fourths of House members spent more on franking during the election cycle than the average challenger spent on his entire campaign in 1990. And they no longer had to "carpet-bomb" their constituencies with postal-patron mass mailings, many of which reached addresses without registered voters. Now they could drop "smart bombs." Dozens of members used their office accounts to buy CD-ROM data bases, which enabled them to target mailings at registered voters in swing neighborhoods, thus achieving more electoral bang for the buck.

In some cases, heavy franking failed to save endangered incumbents; for example, Thomas Downey of New York. More frequently, however, it gave lawmakers an edge that challengers could never match.

Even in the realm of private campaign finance, incumbents retained a huge advantage. While challengers did somewhat better than in previous years, they still lagged far behind their opponents. As of mid-October,

On election night 1992, disappointment ruled the GOP and incumbents reigned on Capitol Hill.

the average incumbent had raised $475,000, compared with only $125,000 for the average challenger. In the Senate, the gap was proportionately narrower but still daunting: $3.2 million versus $1.4 million.

Because most of the incumbents in both houses were Democrats, Republicans had a point in claiming that incumbency helped prevent greater GOP gains. But incumbency cannot explain GOP losses in races where no incumbent was running. Republicans won only three of eight open Senate seats and only 34 of 91 open House seats. Some of the latter were Democratic strong-holds by virtue of demographics and gerrymandering, yet many House seats presented the GOP with clear opportunities. Although the Republicans were hardly poised for the great sweep that they had once foreseen, they still could have done much better.

GOP's Idea Vacuum

The presidential election accounts for some of the GOP shortfall. Bush won the lowest percentage of any incumbent president since William Howard Taft in 1912, so he may have dragged down some Republican congressional candidates. Yet the Democrats achieved no landslide. In only three states and the District of Columbia did Clinton win as much as half the vote, and he only scored 43 percent nationwide.

But while Clinton lacked coattails, he did provide a songsheet. His "New Democratic" agenda of economic development and personal responsibility supplied many Democratic candidates with an appealing set of positions to bring to those voters sick of the old McGovernite tunes. Even some Republicans sang along. Stephen Buyer, who successfully ran against incumbent Indiana Democratic Congressman Jim Jontz, told the *Wall Street Journal* in October: "I talk like Clinton on the economy."

Clintonomics filled an idea vacuum on the GOP side. For most of the Bush years, innovators such as HUD Secretary Jack Kemp and White House aide James Pinkerton were shunted to the margins of the GOP policy agenda. Especially during a period of economic stagnation, the suppression of Republican ideas proved hurtful. According to William Kristol, who served as Vice President Quayle's chief of staff, "When the American people think there are problems, they want government to address those problems and show how they can be solved. It doesn't mean you need big government. But the notion that you can simply keep hands off is probably just not possible anymore."

The policy shortage did not stop at the White House gates. According to Vin Weber, who retired from the House in 1992, few Republican troops rushed to fill the gap left by their chiefs. In contrast to 1978 and 1980, he wrote in the Summer 1992 *Policy Review*, "This year most Republican congressional candidates aren't really running on issues at all." Many did speak of pay raises and bounced checks, but they often missed the opportunity to connect these matters with larger problems of institutional reform. Most important, they failed to offer the people an alternative vision of public policy.

Abortion Not to Blame

Some analysts blame the GOP's congressional disappointment on social issues such as abortion. The evidence for this proposition is spotty. In some instances, particularly in the West, strongly pro-life Republicans paid a price for their convictions. In the Fourth Congressional District of Washington, for example, the pro-life Republican suffered an upset defeat, even though he had raised more money than his opponent. But elsewhere, as in the New York Senate race, pro-life candidates often won difficult contests.

While strongly pro-life candidates may have lost some pro-choice voters, the pattern of recent elections suggests that it is riskier for a pro-life candidate to switch sides than to remain consistent. In Illinois, Republican Richard Williamson's switch caused him to stumble at the start of the campaign. In the California "short seat" race to complete Pete Wilson's Senate term, Republican John Seymour had switched to a pro-choice position shortly before his appointment. He alienated social conservatives without winning many social liberals, who preferred the consistently pro-choice Dianne Feinstein. He lost by 17 points. In the "long seat" race, pro-life candidate Bruce Herschensohn lost by only five. Although there were additional reasons for this difference, it would be hard to argue that Seymour achieved a relative advantage by changing positions.

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No Ideological Change in Senate

The elections produced little partisan change, but they did bring in a large number of new members: 110 in the House, and a dozen in the Senate. Historically, large freshman classes have brought major changes to the Hill: witness the Great Society class of 1964 and the "Watergate babies" of 1974. From an ideological standpoint, however, the class of 1992 does not promise a dramatic transformation. Consider, first of all, the new senators:

California. Dianne Feinstein's victory over John Seymour switched the two-year seat from Republican to Democrat, but the ideological change will be modest. As for the six-year seat, hardcore liberal Alan Cranston will be succeeded by Barbara Boxer, who tilts even farther leftward—and with more energy. On election night, she claimed victory even before Bruce Herschensohn conceded, using her statement to make a shrill attack on conservative Republicans. Her boorishness indicates that she will not serve as a voice for comity.

Colorado. Although some Washington pundits listed Democratic senator Tim Wirth as a "new" Democrat, his voting record was old-line liberal. His replacement is Democratic Representative Ben Nighthorse Campbell. According to *National Journal*'s 1991 vote ratings, Campbell stands a notch to Wirth's right on economic, social, and foreign issues.

Georgia. On election night, Democratic incumbent Wyche Fowler had a slim lead over Republican Paul Coverdell. But Fowler had just under half the vote, and Georgia law requires a runoff if no candidate wins a majority. Two weeks later, Coverdell won a narrow victory. Fowler was a solid liberal and Coverdell is a solid conservative, so this result is good news for the right.

Idaho. Republican Dirk Kempthorne, the mayor of Boise, follows Steve Symms, a conservative Republican leader. Kempthorne lacks Symms's strong ideological edge, but he does have a firm grounding in domestic public policy.

Illinois. Although this seat passes from Democrat to Democrat, the election does mark a distinct shift to the left. During his 12 years in the Senate, Alan J. Dixon built a moderate voting record in a party dominated by liberals: in 1991, he was the only non-Southern Democratic senator to score above 50 percent in the American Conservative Union's vote ratings. Carol Moseley Braun, who beat Dixon in the Democratic primary and then won the general election, supports the liberal agenda on everything from abortion to gun control.

New Hampshire. Best known for co-authoring the Gramm–Rudman deficit-reduction measure, retiring Republican Senator Warren Rudman was a maverick who opposed restrictions on abortion. His successor, Governor and former Congressman Judd Gregg is just as tough on economics and more conservative on social issues.

North Carolina. New Republican Senator Lauch Faircloth is a former Democrat who once strongly supported the incumbent he ousted, Democrat Terry Sanford. But in 1992, he campaigned as a down-the-line ally of Senator Jesse Helms.

North Dakota. Democratic House Member Byron Dorgan takes the seat of Senator Kent Conrad, who first announced his retirement, then decided to run in a December special election for the seat of deceased Senator Quentin Burdick. Dorgan and Conrad have no major differences. In fact, they even look like each other.

Photofest

Incumbents deluged voters with mail sent at taxpayer expense.

Utah. Republican businessman Robert F. Bennett succeeds Republican Senator Jake Garn, keeping the seat safely in conservative hands.

Washington. A superficial glance suggests a stark contrast between incumbent Democratic Senator Brock Adams and his replacement. Adams is a 65-year-old man who had to retire because of a sex scandal, while Patty Murray is a 42-year-old self-proclaimed "mom in tennis shoes." But like Adams, Murray is a staunch liberal and a shrewd professional politician. Notwithstanding the "nonpolitical" persona she adopted for the campaign, she got involved in politics during the late 1970s, won election to the Washington state senate in 1988, and became Democratic whip there in 1990.

Wisconsin. In perhaps the most dramatic ideological shift of the 1992 Senate elections, liberal Democratic State Senator Russell Feingold beat Republican incumbent Bob Kasten. Feingold opposes term limits and the balanced-budget amendment and he supports a wide array of federal spending programs.

Among the freshman Senate class, overall, liberal and conservative shifts largely balance out.

Small Shift to Right in House

In the House, the GOP's net gain of 10 seats suggests a small shift to the right.

But among the freshmen, Democrats still outnumber Republicans by a margin of 63 to 47, and most of the

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AP/Wide World Photos

Clinton lacked coattails, but he did provide a songsheet. His "New Democratic" agenda of economic development and personal responsibility supplied many Democratic candidates with an appealing set of positions.

Democratic freshmen appear to be strong liberals. In years past, the House Democrats' liberal tendencies were checked by the "Bubba delegation": male WASPs who represented predominantly white constituencies from states of the Old Confederacy. In 1992, these states sent 20 new Democrats to the House of Representatives. Thirteen of the 20 are black or Latino, and three are white females. Of the four white males, one is Jewish and another comes from a black and Latino district. Thus, the Democratic class of 1992 contains only two "Bubbas": Nathan Deal and Don Johnson, both of Georgia.

A few other Democratic freshmen seemed to run on conservative agendas. Sam Coppersmith of Arizona endorsed a balanced-budget amendment and a line-item veto. James Barcia of Michigan opposed abortion and supported congressional term limits. Together with current members of the Conservative Democratic Forum, the new moderate-to-conservative Democrats could wield some leverage on certain issues, such as health care. On the whole, however, they lack the numbers to move the Democratic Caucus very far to the center.

On the GOP side, the new class includes some liberal-to-moderate members and some supporters of legal abortion (*e.g.*, Deborah Pryce of Ohio, who endorses the "Freedom of Choice Act"). On the whole, however, the class appears fairly conservative. It also includes Congress's first Korean-American, Jay Kim of California, and its second Cuban-American, Lincoln Diaz-Balart of Florida.

Many freshmen campaigned on the "change" platform, but few offered much detail. Will the new class really depart from the careerist status quo? Their backgrounds point to a reason for doubt. Even more than returning incumbents, the freshmen of 1992 appear to be professional politicians. Nearly 72 percent of the incoming class previously held elected office, compared with 68 percent of the returning incumbents. According to *Congressional Quarterly*, more than one-fourth of the class lists their occupation as "public service."

But thanks to ballot initiatives, 156 House members and 30 senators now face state-imposed term limits. If such measures hold up in court, these members would be at a disadvantage compared with colleagues not subject to term limits. Thus, a large number of lawmakers now have an incentive to back a constitutional amendment imposing term limits on all members of Congress. Even among new members not currently subject to term limits, there is an awareness that the electorate has voiced a strong, if vague, desire for institutional reform. They can ignore that voice only at their peril.

Better Luck in 1994?

For conservatives, the electoral outlook resembles the shadow of a picket fence: alternating stripes of sunshine and darkness.

In the Senate, the bright patch consists of the partisan breakdown of the class before the voters in 1994. Democrats must defend 22 Senate seats, compared with only 12 for the Republicans. (Albert Gore's appointed successor will be among the Democrats up in 1994.) The dark patch consists of the names on the Democratic list, including such heavyweights as Robert Byrd of West Virginia and Majority Leader George Mitchell of Maine. If they seek re-election, Republicans will have trouble beating them. The "Keating Five" scandal could hurt Dennis DeConcini of Arizona and Donald Riegle of Michigan—but the 1992 re-elections of Ohio Democrat John Glenn and Arizona Republican John McCain suggest that the Keating stigma need not be fatal. At the same time, some of the Republicans will face cloudy re-election prospects.

On the sunny side, the 1992 elections relieved the GOP of the burden of divided government. For 12 years, congressional Republicans had the awkward task of simultaneously saying that all was well because of GOP presidents, but that all was terrible because of congressional Democrats. The Republicans often had to carry water for unpopular presidential proposals and absorb Democratic assaults when things went wrong. Now, says Senate GOP leader Bob Dole, Republicans tote "a lighter bucket." They can now fire at will, and they can develop their own proposals without consulting White House bureaucrats. The Democrats, on the other hand, have no more scapegoats. After the election, Senator Daniel Patrick Moynihan exclaimed: "My God, now it's *our* deficit!"

In the House, 1992 produced an extraordinary number of tight races, supplying the GOP with both sunshine

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and gloom. *On the bright* side, 23 Democrats won with 51 percent of the vote or less. On the dark side, 24 Republicans won with equally small percentages. On each side, one may expect many of 1992's losers to seek a rematch. Although redistricting did not lead to a large partisan shift in 1992, it did make some districts more competitive for future elections. Both parties will pay special attention to these marginal districts, seeking to shore up their incumbents and soften up their targets. The Democrats may have a financial edge: with a friend in the White House, they will find it much easier to raise money.

History provides some consolation for Republicans: in every midterm election since 1938, the party holding the White House has lost ground. During the Reagan–Bush era, midterms cost the GOP a total of 39 seats. As for presidential election years, it gained a meager 15 seats in 1984 and actually dropped a couple in 1988. By the end of the Bush administration, many congressional Republicans were quietly seconding an observation made by Brookings Institution political scientist Thomas Mann: that the GOP had to lose a presidential election in order to position itself for winning a majority in the House.

No Reason to Celebrate

Amid the disappointment of the 1992 election, therefore, House Republicans are taking refuge in the number 26—the average out-party gain of House seats in post-World War II midterms. A pickup of 26 seats would bring them up to 202 members, their highest level in 40 years, and just 16 seats short of a majority. If they could reach this point, then they might go over the top by gaining party switchers among the dwindling band of conservative Southern Democrats, who are increasingly out of step with their party's liberal leadership.

The dark patch: the 26-seat average masks great variation. In some elections, the out-party has gained even more seats, but in other midterms it has barely gained any. Various commentators have likened Bill Clinton both to John Kennedy and Jimmy Carter—and either comparison should sober Republicans who have inhaled too many rosy scenarios. Even while Kennedy was narrowly winning the presidential race, Republicans were actually gaining in House, just as they would in 1992. Indeed, their 1960 level of 175 seats mirrors their 1992 showing. In the Kennedy midterm election of 1962, House Republicans enjoyed a net gain of only one seat. In 1976, Carter's victory failed to help House Democrats, as Republicans dropped only a single seat. Two years later, however, Republicans could only manage a 15-seat pick up.

These two cases suggest that the out-party's prospects hinge on the in-party's performance. In 1962, the Democrats soared as a result of Kennedy's handling of the Cuban Missile Crisis. In 1978, Jimmy Carter's mediation at the Camp David summit helped reverse his job-approval rating from 39 percent—44 percent negative

As a political tactic, the GOP emphasis on House scandals had serious flaws.

in late July to 49 percent—36 percent positive just before the election. In both midterms, Republican challengers lost the ability to wound House incumbents by linking them to the White House. Even Carter did not become a heavy drag on congressional Democrats until later in his term, when hostages and gas lines exposed the flaws in his governing philosophy.

Republicans would be foolish to assume that events will inevitably swing the 1994 elections their way. If President Clinton administers bad medicine, the side effects may take years to show up. Meanwhile, his impressive political skills could sustain Democratic momentum for some time. Moreover, Clinton will probably support political innovations that could help cement his party's majorities on Capitol Hill. Statehood for the District of Columbia would virtually guarantee additional Democratic members of both the House and the Senate. Repeal of the Hatch Act would allow government employees to campaign for their congressional patrons. Legislation voiding the *Beck* decision permitting workers to ask for refunds on some of their union dues would restore power to Democratic labor unions. And some versions of campaign finance "reform" could put challengers at an even greater disadvantage than they suffer today.

Conservatives should not panic. But we have little to celebrate.

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D.C. Blues

The Rap Sheet on the Washington Police

TUCKER CARLSON

On a winter night in 1990 around eight o'clock, Manfred Holmes was walking down Washington D.C.'s Georgia Avenue on his way to visit his twin brother, a police officer. As he neared his brother's apartment, two men approached Holmes from behind. They each put a handgun to his head. The men forced Holmes into an alley where they took his wallet, his leather jacket, a ring off his finger, and finally his shoes. After robbing him, the men told Holmes to lie face down on the ground. Holmes refused, knowing they intended to kill him. The men then told Holmes to walk away slowly. As he did, Holmes heard one say to the other, "Hurry up and kill him." In his peripheral vision Holmes saw the robber raise his gun and aim at his head. He ducked just as the gun went off. A 9-mm slug grazed his skull, leaving a bloody divot in his scalp. The men walked away.

Disoriented and barefoot, Holmes staggered the remaining blocks to his brother's apartment and called the police. The dispatcher at the station recognized the apartment's address as the home of a police officer. Within minutes several squad cars arrived at the scene. Holmes says the initial police response was good. "The cops all knew my brother and some knew me and so they were hot to make an arrest."

Only In the Movies

Soon after he was released from the hospital, Holmes was contacted by a police investigator who wanted to see the alley where the crime took place. Holmes took the investigator to the scene. The investigator spent several minutes looking around the alley and then left. That was the last Manfred Holmes heard from the Washington, D.C. Metropolitan Police. Calls to the police station yielded nothing. Frustrated, Holmes asked a police officer if he could look at mug shots of men arrested for the same type of armed robbery or attempted murder. Holmes reasoned, "The guys who shot me obviously knew what they were doing so I figured they'd done it before." But the policeman laughed and told him, "That's only in the movies." Three years later Holmes is bitter about the low priority his case was given. "The guys who tried to kill me might have been arrested on other charges, but it doesn't look like I'll ever know."

People like Manfred Holmes are robbed and brutalized in cities across America every day. What makes Holmes's experience distinctive from attempted murder cases in other places is the lack of attention the Washington police paid to it. The men who shot Holmes showed they would kill for $40 dollars and a leather jacket. They were an obvious threat to public safety. Yet, in spite of their initial interest, the police virtually ignored Holmes's case. Holmes is only one of many District residents who are denied basic physical protection by Washington's police department.

Despite having the most law-enforcement personnel per capita in the country, Washington has the nation's highest murder rate. From 1985 to 1991 homicides in Washington rose from 24 per 100,000 residents to 81. America's next most murderous city, New Orleans, had a rate of 69 murders per 100,000 in the same year. Even New York City, long the symbol of urban violence in America, logged a comparatively anemic murder rate of 31 deaths per 100,000. Washington's Seventh District, which has a population of under 69,000, recorded more murders in 1991 than San Francisco, a city of almost three-quarters of a million people. Violent crimes of all kinds, including armed robbery, rape, and assault, also have risen dramatically in Washington in the last several years. As one shooting victim put it, "There are no fist fights anymore in Washington."

Negligent Police Department

There are many reasons for Washington, D.C.'s soaring crime rate. Among them are broken families, lack of neighborhood cohesion, overburdened courts and prisons, and drugs—the usual causes of urban lawlessness. In Washington, however, crime is not counterbalanced by effective law enforcement. Citizens who are active in neighborhood organizations or who take the initiative to meet and befriend individual police officers can expect a relatively thorough response to their crime problems. Ordinary Washingtonians, however, often have to contend with superficial responses from a poorly

TUCKER CARLSON *is assistant editor of* Policy Review.

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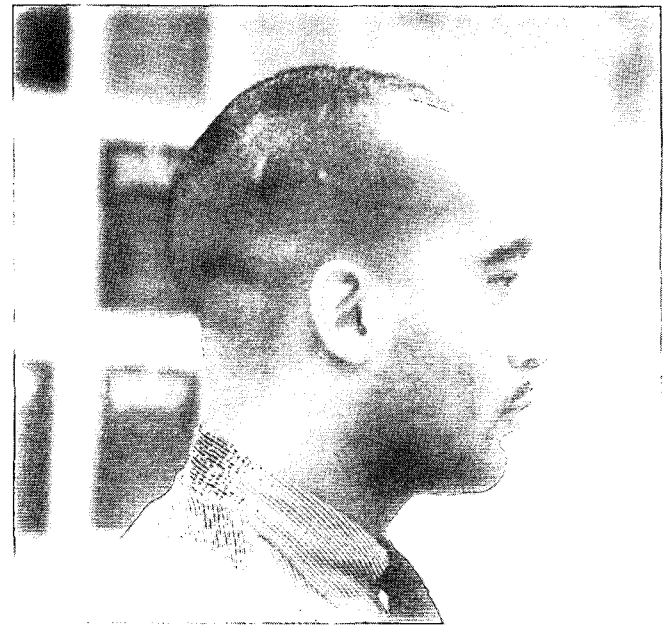
trained and frequently uninterested police department. The Washington Metropolitan Police are deficient in three main areas that are crucial to effective law enforcement: sound hiring practices and rigorous training standards that are applied not just at the police academy, but to sworn officers; effective allocation of funds; and quick response to crimes in progress and thorough investigations of crimes that have already occurred. Until all residents of Washington can count on these basic standards of crime control, violence will continue to escalate in the nation's capital.

Perhaps the best indicator of the Washington Metropolitan Police Department's decay is its own rap sheet. According to the U.S Attorney's office, in the first 10 months of 1992 alone, 32 Washington police officers were indicted on criminal charges, including murder, theft, assault with a deadly weapon, sodomy, kidnapping while armed, and making threats. Another 20 officers now are under investigation by the U.S. Attorney's office for similar crimes. In the words of one local prosecutor, there has been "an extraordinary increase in indicted police officers" in recent years.

The high number of cops in trouble does not mean that the department necessarily is purging itself of bad elements, however. Many Washington police officers fired for committing crimes will not be punished at all. Instead they will be rehired by the force and given back pay. A 1990 District law requires the department to decide on proper punishment for suspended officers within 45 days. If the department fails to take action within that time—and it often does—the officers cannot permanently be dismissed. In the last two years more than 100 suspended police officers have been rehired with back pay by the police department. In October of 1992 the District of Columbia Public Employee Relations Board ordered the reinstatement of officers initially fired for violations ranging from drug dealing and vandalism to concealing past psychiatric treatment.

One section of the city, with a population of 69,000, has more murders than San Francisco, a city of almost three-quarters of a million.

Ethics problems and disorganization in the Metropolitan Police Department became painfully obvious recently, when widespread theft by officers came to light. Last spring a police employee recording the serial numbers of confiscated weapons recognized a .45-caliber pistol. The handgun, which was supposed to have been in police storage, was found in the possession of a convicted felon. A subsequent police-department audit of the warehouse used to store confiscated weapons and drugs estimated that close to 3,000 seized guns were unaccounted for. The vault in which the guns were kept had been used by police employees as a kitchen, replete with a refrigerator and a microwave oven. Employees simply put the guns in their coats and walked out after fixing lunch.



T. Carlson

Manfred Holmes displaying his bullet scar. "There are no fist fights anymore in Washington."

This discovery came several months after it was revealed that 60 guns had been stolen from a police station, presumably by officers. One of the weapons was later used in a murder. A police spokesman, in an attempt to quell fears that all the guns were recirculating among criminals, claimed sloppy police department filing procedures were responsible for the missing weapons. In any case, stealing is not unknown in the department. According to a report in the *Washington Times*, one District police station chains its typewriters to desks to keep them from being taken by officers and police-department personnel.

Former Glory

Despite its current state, the Washington Metropolitan Police Department historically has been a model force. For years the city's homicide department was considered one of the country's best. In the 1950s it was not uncommon for its detectives to solve 100 percent of Washington's murder cases in a given year. According to Gary Hankins, former president of Washington's Fraternal Order of Police and a veteran of 22 years as a Washington cop, the police department began to disintegrate in the mid-1970s. It was then that the city added a residency requirement to the police department's list of hiring standards. Because it dramatically limited the applicant pool, the new requirement immediately caused problems. By 1982, over 40 percent of the candidates who took the police admissions test failed it. According to Hankins, then-Mayor Marion Barry suggested fixing the problem by eliminating the test altogether and hiring police officers by lottery. The

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U.S. House Committee on the District of Columbia squelched Barry's proposal in its 1985 appropriations legislation.

In 1985 the city adopted a new entrance exam for the police academy. The test, produced by McCann Associates of Langhorne, Pennsylvania, was billed as more rigorous and relevant to police work. Yet Hankins says that shortly after the new test was put into use he began getting complaints from police instructors "about people at the academy who could not read or write. Academy staff complained that they were turning out people who would endanger citizens or other officers."

Confused, Hankins called Donna Brockman, an employee at the Office of Recruitment and Examining, the city department that until 1987 administered the tests. Hankins says that Brockman told him all test scores were "converted" on the basis of non-academic factors. She said the "conversion factors are sex, race, residency, and whether you went to D.C. schools." Brockman told him that a score of 50, for instance, could end up 20 or 30 points higher due to these factors. Hankins believes that "social engineering in the police department drove down standards and elevated irrelevant criteria."

As proof of its low standards, Hankins points out that in 1983, not one student flunked out of the police academy. In 1987 and 1988, the graduation rate was close to 100 percent. The result, Hankins says, is that "we are getting a lot more people in the police department who lack the skills or moral fiber to be police officers." While

Former academy instructor Mike Hubbard says, "I've seen people diagnosed as borderline-retarded graduate from the police academy."

the Metropolitan Police Department officially denies the use of affirmative action on the basis of race, gender, or alma mater, Investigator Gray (he would not give his first name) of the recruiting office admits that if applicants "want to claim residency in the District they can obtain additional points" in hiring.

It is difficult to evaluate the police admission test itself because the exam is shrouded in secrecy. An ex-staffer on the House Committee on the District of Columbia claims that the committee tried without success to get a copy of the test, until then-Congressman and ranking minority member of the committee Stan Parris complained personally to the police department. Even then, he says, the committee was not allowed to keep the test. Nonetheless, it is clear that the examination is not difficult. One candidate who took it claims "a third grader could have passed it."

Beyond the admissions test, the requirements for becoming a Washington cop are minimal. According to a recruitment pamphlet issued by the department in 1992, "You qualify if: You are a citizen of the United States"; you are between 21 and 35; you are at least 5 feet tall and "carry proportionate weight"; "You have vision of at least 20/60 correctable to 20/20 in both eyes"; you have a high-school diploma or a GED, or have been a police officer in another city for at least a year; and you live within 25 miles of Washington. Nowhere does the pamphlet mention moral character or even the lack of a criminal record as requirements.

These omissions are telling. The city's police department routinely hires officers with misdemeanor records. Also, Washington, D.C., like many states, is prohibited by law from considering an applicant's juvenile criminal record during the hiring process. In a city where a substantial percentage of murders are committed by juveniles—an estimated 20 percent in 1990—this law practically ensures that the police department will end up hiring some criminals.

"Hire Them Now, We'll Fire Them Later"

If the police recruiting office's moral standards are low, its physical standards are even lower. Unlike forces around the country, the Washington Metropolitan Police Department has never required its recruits to pass agility or strength tests of any kind. To protect itself from litigation under the Americans With Disabilities Act, the department instituted a perfunctory agility test last year. Jerry Wilson, Washington Police Chief from 1969 to 1974, says the department has always been lax in its physical requirements. When he was chief, Wilson says, police recruits had to meet only two physical standards: "They had to have hands big enough to hold a gun and be tall enough to drive a car."

Slack attitudes about hiring are partly the result of the police department's rapid growth. In 1989, the department hired over 1,800 officers in response to Washington's growing crime problem. In order to expedite the expansion, the police academy was authorized to graduate police officers whose background checks had not been completed, or in some cases even started. Then-Police Chief Isaac Fulwood Jr. contended that those with egregious records could be dismissed when discovered. In the reputed words of Chief Fulwood, "Hire them now, we'll fire them later." Or as Deputy Chief Melvin Clark more delicately puts it, "In our zeal to get as many police officers on the street as are being demanded, we kind of rushed the training process." Detective Mike Hubbard claims that during his five years at the police academy, "We swore in entire classes—hundreds of people—without background checks."

The rapid hiring has continued. In 1990 Congress authorized raising the strength of the force from 4,000 to 5,500 officers. In the last two-and-one-half years the police department has hired 1,900 officers. Coupled with the retirement of many older cops, this increase has left the department with a disproportionately large number of officers hired during the years when vital requirements were suspended.

Montague Holmes, a Washington police officer for three years and a current member of the Los Angeles

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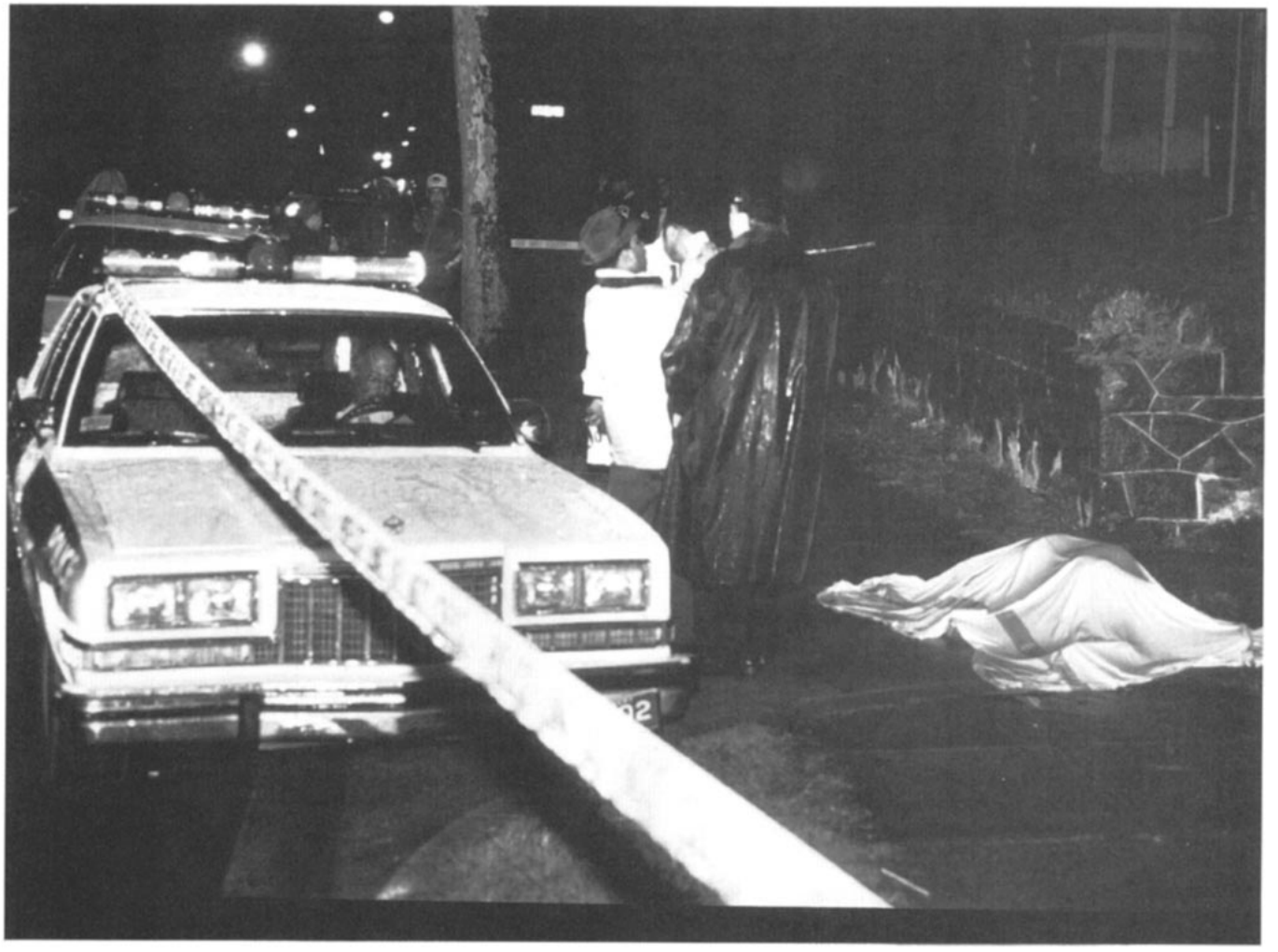

Another murder in Washington. Between 1986 and 1990, roughly a third of the homicide cases brought to the U.S. Attorney's office by the Metropolitan Police were dismissed for lack of evidence, or simply because of illegible handwriting on the reports.

Police Department, says he was not personally interviewed by anyone when he joined the force in 1989. He says the lack of background checks made becoming a cop an appealing career move for many criminals. "A lot of people who were in the drug rackets joined the police department. Some of them went straight when they joined the department, and some of them didn't." Holmes claims that "a lot of police officers were known to be dealing drugs."

Giving Coffee Breaks

Recruitment practices like these have tangible consequences for District residents. One afternoon in early November of 1992, Washington realtor Chuck Holzwarth was on his way home from the hospital when he noticed a man driving down the wrong side of Wisconsin Avenue. Moments later, at a red light, Holzwarth's car was struck from behind by the same man. A nearby police car pulled up to the scene. According to Holzwarth, the man who hit him was so drunk he could hardly speak. When asked for his driver's license by the arriving officers, the man was initially unable to open his wallet. He then got out of his car, only to stumble and fall on the hood. The police ignored his behavior.

Realizing the police were about to leave the scene, Holzwarth told the officers he had seen the man driving on the wrong side of the road. The cops asked the man if he was drunk. He admitted to having spent the afternoon drinking in a bar nearby. He told the police he was now driving home to a town in Virginia three hours from Washington. Holzwarth says the two police officers never gave the drunk a sobriety test, but instead called the "mobile alcohol unit." When the unit failed to arrive after an hour, the police announced they were leaving. Holzwarth complained to the police. "I was outraged. This guy had a long drive ahead of him and he was still really bombed." In an effort to placate Holzwarth, one of the cops instructed the man to cross the street to the Holiday Inn and have a cup of coffee. The man happily complied and the police left. Holzwarth says the police never filed a report on the incident.

Irregular Training

The police department's personnel problems are compounded by the inadequate or irregular training of officers. A May 1990 General Accounting Office report concluded that the police academy's training schedules and curricula changed with each incoming class of can-

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didates. From 1982 to 1990 the GAO determined that "The hours of instruction recruits have received have ranged from 294 to 880." In other words, some classes at the police academy received more than three-and-one-half months more training than others. In 1982 alone, the length of training periods for different classes varied by more than 11 weeks. In that same year, one class of recruits took 16 exams before graduating, while another class took only five exams. The importance of the exams, too, has changed periodically. In May of 1985 a recruit could be expelled from the academy for failing two exams. In November of the same year, the expulsion threshold was raised to six failed exams. By October of 1989 the limit was back to two failures.

Constant changes in the curriculum lowered the standards at the police academy. Former academy instructor Mike Hubbard says, "I saw people who were practically illiterate. I've seen people diagnosed as borderline-retarded graduate from the police academy."

One survey found that in the Seventh District, Washington's most violent, 12 out of a total of 19 patrol cars were inoperable.

Moreover, although the curriculum at the police academy has changed every year for at least the past decade, the academy has failed to keep records of the changes. This has led to confusion in the police department between members of different graduating classes over what constitutes basic procedure. Efforts to standardize training have failed. In 1988 the academy inexplicably abolished its final comprehensive exam after 40 percent of graduating recruits—the highest percentage ever—failed it.

In addition to confusion over what to teach, the police academy suffers from a chronic lack of resources. Several years ago the academy's indoor shooting range was closed because of improper ventilation that threatened the recruits with lead poisoning. It is still closed. A congressional staffer who visited the training center in 1990 says the academy's entire library was housed in the hallway of a building. He also claims the police department had no full-time lawyers to teach recruits the constitutional issues that surround police work.

In 1991, under pressure from Representative Dean Gallo (R–NJ) and others disturbed by the department's questionable training standards, Police Chief Isaac Fulwood announced that the police academy would be independently accredited, presumably by the Commission on the Accreditation of Law Enforcement Agencies, the nation's only major police accreditation organization. A year later, however, no accreditation process had begun. Chief Fulwood still claimed the academy would be reviewed, although this time by a group of experts from the city-run University of the District of Columbia and the police department itself. In the words of one Washington detective, "It's unlikely the department will give itself bad marks."

"Damn Fools, They Are"

The police academy's inadequate training has produced officers who are often ill-equipped for the complexities of modern police work. Many of these complexities concern the paperwork that follows arrests. Detective Mike Hubbard says, "Officers get virtually no training in paperwork or in how to deal with the courts." According to Gary Hankins, younger officers often are intimidated or confused by police paperwork. "Reports they turn in may be unusable, unreadable," he says. As a result many officers forego making arrests. Hankins claims that "25 percent of the people in the field make 90 percent of the arrests."

Former officer Montague Holmes claims the paperwork burden is responsible for poor morale in the department. "If you work on the three-to-eleven shift and you lock someone up at 3:15, you're going to be there until one in the morning, and if it's a felony you have to be in court the next morning by seven. A lot of officers just don't want to deal with the paperwork so they go and sit in Wendy's for their entire eight hours or they go home." The lack of arrest quotas in the police department does little to discourage this do-nothing attitude. In Holmes's words, "I know one police officer who didn't make a single arrest during the three years I was on the force. If you wanted to, you could spend 20 years as a police officer without doing anything."

Much of the paperwork that is completed by police officers is incomplete or illegible. Between 1986 and 1990, 311 of the 938 murder cases the Metropolitan Police brought to the U.S. Attorney's office—roughly a third—were dismissed. By comparison, in 1987, 18 percent of murder cases in Los Angeles were dismissed and only 13 percent of murder cases in New Orleans. A local prosecutor claims that many cases in Washington are thrown out by prosecutors unable to read or understand the arrest reports. Of the murder cases that do reach disposition, many end in acquittals because of weak cases prepared by the police department. According to Cathy Boyer of Washington's Pretrial Services Agency, only 44 percent of the murder cases filed in 1990 and closed by the first part of 1992 resulted in convictions. Of the suspects who were acquitted, 32 percent were later arrested for other offenses. A Washington lawyer puts it simply: "A prosecutor's effectiveness is dependent on the ability of local law enforcement." According to American University crime professor Emilio Viano, "We have inexperienced officers who just don't have the training to verify all they need to prepare good cases."

Washington resident Walter Green recently experienced first-hand the consequences of low admission standards and shoddy training in the police department. Eighty-year-old Green was kidnapped this fall from the parking lot of a shopping mall by a man who claimed to have a gun. His abductor robbed Green and then forced

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Photofest

Much of the police department's communications equipment is antiquated. Most station houses still have rotary dial phones, often making it impossible to reach detectives after business hours.

the elderly man to drive around Washington for about an hour. Finally, Green says he saw a police car at an intersection. Hoping for help, Green drove his Ford onto a sidewalk and jumped out. As he left the car, his abductor poured whiskey on Green's trousers and then told the arriving officers that Green had been driving drunk. The two officers promptly handcuffed Green, ignoring his protests that he had been kidnapped. His alleged assailant, James Byars, walked away from the scene. Green was held in custody by the police and then forced to take a cab home. Byars was finally arrested by Maryland police and identified as the alleged kidnapper of at least two other elderly men. Later, Green, the father-in-law of Deputy-Police Chief Donald Christian, gave the *Washington Post* his opinion of the police department: "Damn fools, they are."

Potato Chips and Television

The Metropolitan Police Department's personnel problems are evident to all who spend time in a Washington police station. One evening last fall I sat for about an hour and a half in the lobby of the Seventh District headquarters, located in the most crime-ridden part of the city. I watched while the four female officers at the front desk ate potato chips and gossiped about their romances. After a time, the boyfriend of one of the officers arrived. The two of them stood in the middle of the room and talked and giggled romantically for nearly 30 minutes. As the officers talked and the couple flirted, a man who had just been beaten by drug dealers waited for assistance. The officers ignored him. At one point an officer at the front desk answered the phone with a mouth full of potato chips and mumbled a few nearly unintelligible sentences to the caller before hanging up. At 8:00 all the officers left the front desk and retired to a back room to watch *The Young Indiana Jones Chronicles* on television.

Playing Telephone

The Metropolitan Police Department's crime-control efforts are frustrated further by a lack of modern technology. Only a fraction of police offices have computers and many are without typewriters. Detective Mike Hubbard says the clerical equipment in his office consists of two manual typewriters. This shortage of equipment means that most reports must be handwritten. Also, few of the telephones in the department's seven police stations are the push-button type. The department's rotary dial phones cannot be equipped with voice mail, meaning that after 5:00 p.m., when police secretaries go home, telephones frequently go unanswered. Because the department's official policy forbids officers to use pagers, many officers are unreachable by phone during the evening hours.

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In addition to primitive equipment, the Metropolitan Police Department has outdated schedules. Unlike departments in many states, including Ohio, California, and Florida, the Washington Police Department still operates largely on a three-shift system, with the day divided into three eight-hour periods. Although the vast majority of murders in Washington take place between 8 P.M. and 4 A.M., the police department has refused to overlap shifts to put more officers on the streets during these hours. In contrast, the Tucson, Arizona police department has 14 daily shifts, and the Los Angeles police have five.

Despite the success of such rescheduling, District police officials are skeptical. Former Deputy Chief Gary Albrecht was quoted as saying that increasing the number of police shifts struck him as "complexity for its own sake."

Even if police officials were to accept the schedule changes, a shortage of working vehicles might make them impossible to implement. A recent *Washington Times* article concluded that, at any given time, more than half of the police department's patrol cars are out of service. One survey found that in the Seventh District, Washington's most violent, 12 out of 19 patrol cars were inoperable. In the Fifth District, the *Times* noted, the lack of available cars sometimes caused backups of 40 calls. A police sergeant was quoted as saying calls deemed "too old" were ignored. The acting chief of Washington's First District said the shortage was due in part to accidents caused by the reckless driving of younger officers. As the police motor pool is still short seven mechanics, the situation is unlikely to improve in the near future.

A common complaint is that police officers make little attempt to solve cases after their initial appearance at the scene of a crime.

Helpless Citizens

Slow police response to calls jeopardizes the safety of District residents. After leaving his job at the Defense Department in the evening, Robert Kim (a pseudonym) often goes to work at his parents' liquor store in Northeast Washington. With large amounts of cash on hand, liquor stores are frequently the targets of robbers. Kim says that the Metropolitan Police arrived at his parents' store quickly when the store was held up recently, although not before the robbers had left with the contents of the cash register.

But Kim says the store's biggest problem is not armed robbery. The real problems, he says, are shoplifting, threats, and extreme racial abuse from customers. The District's restrictive gun laws make the Kims totally reliant on the police to solve incidents like these. "There is nothing we can do. We'd go to jail if we flashed a gun to a guy who was threatening us. All we can do is call the cops, and sometimes they take a half an hour to come, if they come at all." As they wait for the police to come, the Kims are powerless. "I see people shoplifting all the time and there is nothing I can do." Kim echoes the frustration of many in the city who feel unprotected by the police: "It's really unfair that my parents, who work hard, could get killed anytime by some low-life loser."

Little Follow-Up

One of the more consistent complaints of District residents is that police officers make little attempt to solve cases after their initial appearance at the scene of a crime. American University's Emilio Viano says "one of the department's major problems for the last 15 years has been victims of crime not hearing back from the police." According to Viano, simple boredom is responsible for the problem. "Follow-up is the most crucial part of police work, but it is not exciting, so many officers neglect it." Lack of ongoing communication with victims does more than just leave cases unsolved; it erodes the public's confidence in the police department.

Steven Tullberg's experience is a typical example. On October 7, 1992, Tullberg's house in Northwest Washington was burglarized. Thieves broke in during the day while he, his wife, and children were out of the house. The burglars entered by slashing a window screen and left with 34 pieces of jewelry, including the Tullbergs' wedding rings. Tullberg called the police, who promptly came to the house and took fingerprints. The police said that the prints would be sent to the FBI to be checked against those of known criminals, and they left the name of a 4th District detective who would be working on the case. "I was impressed," Tullberg says. As with many victims of crime in Washington, however, that was the last he heard from the police department.

Two weeks later, after reading in the newspaper that another house on his block was burglarized in the same manner, Tullberg went to the 4th District police station to see the officer handling his case. Tullberg was told the detective was out. Unsatisfied with that response, he asked to speak with the officer responsible for assigning work on burglary cases. He was virtually ignored. Angry and frustrated, Tullberg pressed for information about progress in the burglary investigation. "I was finally told 'Nobody's working on your case.' The officer told me that the department was waiting for the FBI fingerprint report to return."

On November 18, six weeks after his house was burglarized, Tullberg was contacted by a detective. The officer admitted, "I just got your report today." Five days later the detective came to the Tullbergs' house to get information about the break-in. Despite the Tullbergs' eagerness to help the police, officers did not interview a single person on their street, check any pawnshops for their jewelry, or make any recognizable attempt to solve the crime during the time between the burglary and the detective's visit. Tullberg has little hope the valuables will ever be returned. "The trail is just too cold now," he says.

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"Even more upsetting is the fact that the police failed to pursue someone who had broken into my house in broad daylight with a knife in hand and thereby threatened the safety of my family." A call to the police department's Mobile Crime Lab confirmed that the fingerprints taken from Tullberg's house were never sent to the FBI.

Squeaky Wheels

Even when police do respond to citizens' concerns, they are sometimes ineffective. Joe Davis, organizer of the Shepherd Park coalition, a citizens' anti-crime group, generally has good things to say about the Metropolitan Police Department. But he says the police were unable to do much for him or his neighbors when a group of drugs dealers moved in down the street. In summer 1991, Davis says, about 20 crack dealers began selling drugs out of a rented house on his block. Repeated calls to the police elicited a sympathetic response and several raids on the house, but no permanent solution. A group of neighbors finally solved the problem themselves by forcing the absentee landlord to go to court to evict the tenants of the crack house. Davis admits that the police response he did get was probably the result of pressure from his group. "My neighborhood gets more police attention because we have an active citizens group." Another neighbor puts it more directly: "Here we were a middle-class, well-organized, well-educated neighborhood and we had to use civil law to get these people out. Law-abiding people in the bad parts of the city don't even stand a chance."

This is a consistent theme. Citizens who have already taken the initiative to rid their neighborhoods of criminals often speak highly of police involvement in their projects. James Forman, founder of the Metro-Orange Coalition, a citizen's anti-crime group known in Washington as "Orange Hats" for their fluorescent headgear, says his organization "has a tremendous relationship with the metropolitan police." Forman founded the group in 1989 after the murder rate skyrocketed in his part of the city. After returning from his day job at a department store, Forman leads a group of his neighbors on a patrol of the blocks around his house. Orange Hat volunteers stand on corners where drug dealers congregate and take photographs of cars that come to buy drugs. "The group's impact was immediate," Forman says. "A nosey neighborhood is the worst place in the world for crooks to operate." According to Forman, the police drive by the volunteers at night to make sure they are safe and help them plan their anti-drug programs. Forman says some off-duty cops have even joined the groups.

Good Eggs

Despite the police department's manifold problems, there are many hard-working and dedicated police officers on the force. One such officer is Allen Banks. In his mid-30s, Banks has been on the force for seven years, five of them patrolling Anacostia, Washington's poorest area. In the five hours I spent with him, Banks sent three sets of kids on street corners home, so they would be ready for school in the morning. At one point Banks heard that a crack-addicted prostitute in the area had just badly beaten her daughter. Banks became angry and drove to the woman's house. Although she wasn't home,

"A lot of officers just don't want to deal with the paperwork, so they go and sit in Wendy's for their entire eight hours."

Banks comforted her daughter. In the interest of the girl's safety, he resolved to come to work early the next day and arrest the prostitute. "Even if you don't agree with people here," Banks says, "you have got to try to respect them."

The police department has not made Washington, D.C. a violent city. Widespread drug use and other social pathologies have done that. And there is an ongoing debate over how much any police department can reduce crime. Some experts claim that law-enforcement agencies—even the best ones—are largely irrelevant to the rate of violent crime in American cities. The salient factors in crime reduction, they say, include private citizens who organize to keep their communities safe, and sentencing policies that imprison violent offenders. The experts may be right. And yet all citizens, even those who live in disintegrating and disorderly neighborhoods, deserve a police department that offers them protection and justice. They are getting neither in Washington.

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Don't Cross These Lines

How Conservatives Will Mobilize Against Clinton

Dick Armey, Gary L. Bauer, Robert H. Bork, Don E. Eberly, Henry J. Hyde, Richard D. Land, James C. Miller III, Gary Palmer, Burton Yale Pines, Fred L. Smith Jr., Vin Weber, Paul M. Weyrich

Dick Armey

Bill Clinton's election is likely to hurt America in many ways: the appointment of liberal judicial activists to the Supreme Court, an Environmental Protection Agency run amok, and a return to Carter-era tax policies. Here are some of the more dangerous policies that Clinton will likely attempt to guide through Congress.

1) **Re-loopholing the tax code.** During the Reagan years, tax policy was based on the idea that the fairest, most efficient tax code is one that lowers rates and eliminates loopholes. This tax code benefits workers and entrepreneurs rather than accountants and lobbyists.

Clinton, by contrast, will most likely "target" the tax code to provide favorable tax treatment to people with the best lawyers or best-connected lobbyists.

2) **New red and green tape.** Business regulation rose dramatically during the Bush years, a trend that is unlikely to abate with Clinton and Gore in the White House.

Clinton has already promised new taxes on small business to pay for worker training and government health care. He has promised additional mandated benefits, such as family leave and increased child care. We should also expect a plethora of new environmental regulations.

3) **Labor policy.** After 12 years of Republicans in the White House, big labor will pressure the new administration to fill its wish list. Clinton has promised to pass Senator Kennedy's right-to-strike bill, depriving employers one of their few remaining bargaining tools, the right to hire permanent replacement workers.

Clinton has also promised to index the minimum wage to inflation (putting him at odds with his adviser, Robert Shapiro of the Democratic Leadership Council), spend billions more on public-works projects, and hand the Treasury's keys over to big-city mayors. These are all sops to both blue- and white-collar unions that remain such an important part of the Democratic coalition.

4) **Government health care.** Clinton's desire to get a health-care proposal in his first 100 days in office will do great damage to the nation's economy as well as the overall wellness of the American people. As the authors of The Heritage Foundation's health-care plan, Stuart Butler and Edward Haislmaier, have correctly noted, the pay-or-play approach advocated by President-elect Clinton is really an intermediary step to socialized medicine.

The health-care system's problem won't be solved by increasing government involvement, but by reforming the tax code to give tax credits to individuals rather than the companies that employ them, reforming our malpractice laws, and instituting uniform billing practices.

5) **Education anti-reform.** School choice was one of the few elements of the conservative reform agenda that the Bush administration ran with. Unfortunately, as with so many other issues, Governor Clinton has changed his position to placate a powerful liberal interest group, the National Education Association (NEA). To reform our nation's beleaguered schools, Governor Clinton chooses to rely on failed NEA bromides—more federal spending, higher salaries—rather than innovative reforms like choice. Although Mr. Clinton has embraced public-school choice, he will not give parents the opportunity to select the school that best fits their child's needs.

6) **Abortion policy.** Abortion policy will provide the most dramatic difference between the Bush and Clinton administrations. Governor Clinton favors abortion on demand at taxpayer expense. Certain to fall by executive order in the early days of the Clinton administration are such right-to-life measures as the bans on fetal-tissue

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We should probably brace for another attempt to make the federal government the national childcare provider.
—Gary L. Bauer

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research and taxpayer-financed abortion referral, the so-called gag rule.

Clinton has already made clear he will have a pro-abortion litmus test for his Supreme Court justices, and he supports the radical Freedom of Choice Act, which goes far beyond even *Roe* v. *Wade* in prohibiting states from regulating abortion. Without question the Clinton years will prove devastating for the unborn.

When we act more like Republicans, we win. When we act more like Democrats, we lose.

The reason President Bush lost was because he spent three-and-a-half years blurring distinctions between himself and the Democrats. When, in the last four months of the campaign, he tried to convince America of his renewed conservatism, he wasn't credible.

When we act more like Republicans, we win. When we act more like Democrats, we lose. Conservatives in Congress must provide strong leadership for the Republican Party and the conservative movement. We can no longer afford to be more concerned with "reaching out to the other side of the aisle" than in standing up for principle. By blurring distinctions between the parties, accommodation confuses America about what's going on in Washington. Americans say "let's throw the bums out" rather than "let's throw the Democrats out."

Republicans lost the White House and gained fewer seats in Congress than we should have because we conservatives did a poor job of framing the issues and laying out our solutions to America's problems. While we still view ourselves as the party of ideas and on the cutting edge of reform, America viewed us much differently: as a party that was out of ideas and out of touch.

We activist conservatives committed to ideas, reform, and confrontation with the Democratic majority must use every resource at our disposal—the bully pulpit of our office, the news media, and the legislative process—to define ourselves and where we will lead America.

If we succeed in pointing out the differences between reform-minded conservatism and liberalism, whether new or old, we will have a great opportunity to make additional political gains in 1994; but if we spend the next two years appeasing and signing treaties of surrender with the Democrats, our party faces marginalization unseen since the Roosevelt era.

DICK ARMEY *represents the 26th district of Texas and is chairman of the House Republican Conference.*

GARY L. BAUER

Bill Clinton is politically indebted to the radical interest groups within his party (whose presence at the Democratic convention was covered up by the media). He will have to give them a great deal of what they want. In fact, the more he wishes to pursue moderate economic policies, the more pressure he will feel to throw some red meat to the cadres on the social issues.

Indeed, he has already started, with his promise to overturn the military's policy of not admitting homosexuals. He immediately encountered steep opposition to this from those directly responsible for morale and readiness in the military, and he has been forced to retreat to a "let's-study-it" position.

Clinton has also promised to overturn the regulations by which the Reagan and Bush administrations sought to prevent the Title X family-planning program from turning into a taxpayer-financed referral service for abortionists. There is little doubt he will rescind these regulations shortly after his inauguration.

Given the centrality of the public-school teachers' unions to Democratic Party politics, the new administration will be an implacable opponent of parental choice in education. The choice movement is gradually spreading, despite occasional setbacks; Clinton, however, will probably denigrate it from the bully pulpit, and will certainly appoint foes of choice to all the policy-making positions in the Department of Education. That department will grow, creating new jobs for the shock troops of the National Education Association to fill.

On taxes and the family, Clinton gave out some reassuring rhetoric during the campaign, but no one expects his administration to cut tax rates for anyone, much less for those who need it most: families trying to live on the one-income, full-time homemaker life, and families that want to live that life, but economically cannot now do so.

Given the new administration's links to the Children's Defense Fund, we should probably brace for another attempt to make the federal government the national childcare provider.

Finally, Clinton's Supreme Court appointments will return the court to its 1960s role as prophet and architect of cultural revolution, while federal trial and appellate judgeships will provide Clinton with a rich treasury from which to pay off his radical supporters.

Each of these issues presents an opportunity for conservatives to re-galvanize pro-family sentiment in the electorate. The progress so far of the issue of homosexuals in the military shows that it is possible to slow down, or even stop, these juggernauts. On federalized health care, the proponents of national nannying have admitted that there was never any popular movement for such a measure: this is a solid elite-versus-people issue for us. On school choice, we will work closely with state-level organizations to make sure this idea continues to fly. On family taxation, we will be active in Congress, hopefully getting recorded votes on tax cuts for hard-pressed traditional values.

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Some of the liberals who formerly bemoaned the alleged "litmus test" and "politicization" of judicial selection are now arguing that politics is a legitimate part of the process. Well, so are educating and mobilizing the grass roots, which conservative groups can and will do when Clinton begins the radical judicial nominations. No doubt many of Clinton's judicial nominees will have impeccable credentials, making them hard to stop, but at least a few will be carrying some very radical baggage

As regards the abortion-related issues: I sense a spreading belief in pro-life ranks that all we can achieve for the time being is to build more crisis-pregnancy centers and promote adoption. These are important tasks, but we must also remain vigilant to the legal and moral aspects of the issue. There is a battle looming over the Freedom of Choice Act, and we can win it.

There will be many other battles, too, both legislative and legal, as the other side seeks to entrench abortion ever deeper into our culture. Whatever we lost on November 3 will be nothing compared with what we will lose if we cease making the fundamental claim that unborn humans have rights.

GARY L. BAUER *is president of the Family Research Council.*

ROBERT H. BORK

As they contemplate the approaching Clinton presidency, its style, and its policy initiatives, conservatives may wish to consider the advantages of catacombs. Despite his campaign rhetoric, President Clinton's administration seems likely to be more liberal than the administrations of Walter Mondale or Michael Dukakis would have been. Conservatives will have little chance of stopping some of the new president's initiatives; some we may be able to moderate; and some will die in the face of reality.

Probably in the unstoppable category are Clinton's proposals to raise income taxes on the most productive Americans—which may be only a first step toward taxes as progressive as those before Reagan—and to enact punitive inheritance taxes. Given the class-warfare ideology of the Democratic congressional leadership, the initial increases at least seem certain to go through.

Although he has been fuzzy on the issue, the president-elect is probably a protectionist. With possible trade wars looming with Europe, that sentiment could produce a recession much worse than the one we have just experienced. The North American Free Trade Agreement is to be "modified," which probably means killed. There is much support for doing so among the congressional Democrats.

Conservatives may at least have some chance to prevent the worst from happening to the judiciary. We already have an inkling of Clinton's notion of good judges: Harry Blackmun and Mario Cuomo. *Roe* v. *Wade* is Clinton's idea of sound jurisprudence, and we can expect his nominees to favor such things as homosexual rights and racial goals and quotas. There are now over 100 vacancies in the district courts and courts of appeals, and Congress will surely create new judgeships so that the improvements in the judiciary of the Reagan–Bush years will be severely set back and, should Clinton win a second term, quite possibly lost. It is very difficult to make a fight over nominees to lower courts, and Clinton will probably have his way with Supreme Court appointments unless he nominates some of the more radical names that have been mentioned. Conservatives should be prepared with complete information on the more likely jurisprudential radicals so that the public can quickly be informed and opposition mounted.

President-elect Clinton is clearly no friend of defense and the military. He will attempt to fund his massive "investment" programs by cuts in the defense budget that would leave the United States unable to mount even a minor version of Desert Storm. In this effort he will be supported by the Democratic Congress. Conservatives' hopes of preserving an adequate military depend on events in the world that may remind Americans of the importance of a strong defense. A general West African war may be beginning in Liberia. The bloodshed in the former Yugoslavia may easily spread elsewhere in the Balkans. The Middle East will not settle down in any foreseeable future. Russian nationalism appears to be resurgent and is likely to try to reassemble the empire the Soviets once had. Nuclear proliferation is inevitable. The obvious dangers indicate that there is a chance to prevent Clinton from leaving America helpless to defend itself and its interests abroad.

As they contemplate the approaching Clinton presidency, conservatives may wish to consider the advantages of catacombs.

It is in the cultural arena that the Clinton presidency will be most threatening to conservative values. Traditionalists have been losing the struggle for some time now. Indeed, the fact that a man with Clinton's known character defects could win the presidency is testimony not merely to George Bush's unpopularity but to a decline in what used to be called virtue, personal and patriotic. That trend seems likely to accelerate. The pro-life battle is lost, at least for some time to come, and

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perhaps forever. Congress will probably enact a pro-choice statute that goes well beyond *Roe* v. *Wade*. Clinton will lift the bans on fetal-tissue research and on giving abortion advice at federally funded clinics.

The most obvious manifestations of the cultural conflicts ahead are Clinton's proposals to allow homosexuals in the military and women in combat. Conservatives have a chance to defeat these initiatives because there are strong constituencies on their side. The military is strongly opposed to the admission of homosexuals because of the effects on unit morale, and opposition is building in Congress. Placing women in combat roles will be more difficult to defeat, but the case can be made from Israel's experience that it is disastrous to combat effectiveness.

Whatever the fate of these two misguided proposals, homosexual activists and radical feminists are influential components of the Democratic coalition, and we may expect to see them at the White House. Both groups will continue to get strong support in television entertainment. In matters of sex and violence, the networks will continue to press the limits, and we can expect no Dan Quayle-like responses from the new administration.

Bleak as the immediate prospects look, retreating to catacombs is premature. The new president received only 43 percent of the vote. The political process does not stop between elections, and it would be a serious mistake for conservatives to adopt a "wait-until-'96" attitude. Clinton and the congressional Democrats are to the left of the American center, so it may be possible to arouse enough public opposition to defeat some of his more egregious proposals.

JUDGE ROBERT H. BORK *is John M. Olin Scholar in Legal Studies at the American Enterprise Institute.*

DON E. EBERLY

If Bill Clinton succeeds in building a new Democratic Party that is genuinely centrist, it will be good for the country. If he fails, it will be good for Republicans. The gloom one encounters today among conservative thinkers and strategists reflects a deep worry that he could succeed. Arriving in January will be a president-elect who has displayed an impressive intellect, uncommon resilience, and tactical brilliance.

What Bill Clinton sets out to accomplish with all these abilities involves equal amounts of peril and promise. One will certainly have to brace for all manner of political paybacks to groups that delivered impressively for Clinton, particularly unions and an assortment of cultural radicals who hold considerable sway in this "new" moderate Democratic Party. That homosexual rights and abortion on demand are apparently no longer held as controversial by much of the political and cultural establishment is one of the less encouraging barometers of America's health. Other concerns include increased regulation and mandates on business, environmentalism, and judicial appointments.

Despite all this, the Clinton administration's arrival presents possibilities for continuation, even expansion, of many Republican policy objectives. Throughout the campaign, Clinton was heard calling for a new social contract based upon individual responsibility, for "ending welfare as we know it," for moving beyond "tax and spend," for a centrist foreign policy, and for government reform and restructuring.

The entire agenda presented by David Osborne and Ted Gaebler to fundamentally reinvent government, strangely ignored by Bush Republicans who prized themselves as government managers, represents the possibility of continued decentralization and privatization, perhaps under other labels. Other vital measures, like PAC reform, which have been on the agenda but held back by divided government, may now move forward as well.

We also may see welcome attempts by Clinton to restore racial harmony while bypassing Washington's minority establishment and working with a new generation of pragmatic black leaders. This approach to race and poverty would guarantee that the debate moves beyond legal and judicial remedies to economic strategies. What produces faint and cautious hope is the realization that there may be many things that a Democrat can do that Republicans simply can't without being accused of heartlessness and indifference, or worse. If Republicans had tried to eliminate 100,000 bureaucratic jobs, as Clinton has promised, they would be accused of meat-axing programs. If Republicans had tried to put 100,000 new policemen on the street, as Clinton has proposed, they'd be called law-and-order fascists.

Ideas sometimes endure simply because they've been separated from their original sponsors. Current examples of such possibilities include school choice, enterprise zones, and new approaches to the urban crisis, the family, and culture. Bill Clinton may have his greatest chance to prove his party is truly post-Great Society when he is forced to confront a deepening urban crisis. Child abuse, juvenile crime, and widening human dysfunction are overwhelming many urban social agencies. Clinton will have to choose between new approaches to empowering the poor on the one hand, or funding the "poverty Pentagon" and its legions of poverty advocates on the other.

One of George Bush's greatest mistakes was in not recognizing that urban renewal is simply not possible without restoring institutions, particularly entrepreneurial capitalism and the family. Perhaps a new consensus on the importance of the two-parent family as the cornerstone of social policy may emerge now that the Democrats can remove the issue from Republican control. The family recently has become too much of an ideological weapon that conservatives use to drive voters against the Democratic coalition. Whatever else a "family-values" debate entails, it certainly must have as its primary objective stopping the collapse of families. This is fertile territory for Bill Clinton, who has stated his belief that "people, not governments, raise children."

It was Democratic mayors, just before the Los Angeles riots, who told George Bush that family disintegration

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Associated Press

Democratic mayors, just before the Los Angeles riots, told George Bush that family disintegration was the chief source of urban decline.—Don E. Eberly

was the chief source of urban decline. Bill Clinton should point out that the kind of society that many honest moderates and liberals would like to live in is simply not possible without improving the stability of families, and reversing the coarsening of the culture in which healthy children are now raised.

Once again, Republicans have had a difficult time working this territory without appearing sanctimonious and censorious. A signal of the possibilities here came in Clinton's post-election *TV Guide* interview in which he expressed his mortification at the "banalization of sex and violence in the popular culture."

The correlation between single-parent families and poverty among women and children, plus all of the attendant problems of abuse, crime, delinquency, drugs, and educational decline, is steeply positive, and beyond dispute. These underlying social factors are increasingly shaping economic realities as America gropes to find its footing in an information society and global marketplace.

Finally, in another area of potential progress, perhaps it will have to be a Democratic White House and Congress that finally comes to grips with the great fiscal conundrum of our times: runaway middle-class entitlements, particularly social security. These are Democratic programs, protected by Democratic constituencies and politicians, that no Republican can touch. Just ask Ronald Reagan.

Remaking the Democratic Party will not be easy, but the new Democrats may have no choice but to embrace many commonsense policies if they want a party that truly represents middle America and its values.

The conservative approach will require a careful mix of accommodation and confrontation. The objective should be to separate the Democratic center from the left, particularly on issues that conservatives care about: education, crime, and taxes. Forging strong ties with swing Democratic votes from conservative-to-moderate states will be the key to success.

DON E. EBERLY *is president of the Commonwealth Foundation for Public Policy Alternatives in Harrisburg, Pennsylvania.*

HENRY J. HYDE

If the Clinton administration follows the script written in the 1992 Democratic Party platform, its alleged "moderation" on economic, welfare-reform, and foreign-policy questions will be mortgaged to a truly radical agenda on the "culture wars" front.

Our ascent from the permissive society of the 1970s

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lasted but a short 12 years. We can expect to revisit those freewheeling days that accelerated the decline in traditional values. While we must take care to avoid the bigotry of "gay-bashing," we should be prepared to resist the coercive balkanization of society likely to follow the new administration's aggressive pursuit of the militant gay agenda. We may expect that the empowerment of poor and middle-class parents through school-choice programs will be put on indefinite hold; and we may have to challenge that obsequiousness to the reactionary agenda of the teachers' unions. We may expect that the Department of Education, the National Endowment for the Humanities, and the National Endowment for the Arts will be handed back to the disciples of "multiculturalism" and "deconstruction." Samuel Gompers once replied to the question of what labor really wanted with a one-word response–"more!" That's what we can expect in taxes, spending, and regulations. Bureaucrats *über alles.*

The abortion issue is, as it always has been, about more than abortion.

But the centerpiece of the new administration's "lifestyle" radicalism will almost certainly be its position on the abortion license.

The abortion issue is, as it always has been, about more than abortion. In its moral logic, the abortion issue is about the nature of human life and human community. It is about the relationship between the moral law and American democracy. The abortion issue is about whether America is to be a country obsessively concentrated on rights and laws, or a country committed to a certain notion of rights and wrongs.

But the abortion issue is most especially about abortion. And here the situation is grave in the last extreme. For if President Clinton and a Democratic Congress pass the Freedom of Choice Act; if Clinton and a Democratic Senate place several new litmus-tested justices on the Supreme Court and repeal the current ban on federal funding of abortions; then the political battle to provide maximum legal protection for the unborn may well be lost for the foreseeable future.

The right-to-life movement will continue, focusing its energies on moral education and service to women and their unborn children. But the United States of America, the world's leading democracy, will have declared, as a matter of both constitutional and positive law, that the taking of innocent human life is a private matter of no concern to the state, except for providing a taxpayers' subsidy.

That, and nothing less than that, is what is at stake in resisting the efforts of the new administration to nail down, in law and jurisprudence, the lethal logic of *Roe* v. *Wade.* The implications of such a declaration are truly awesome, and chilling: for should that lethal logic prevail, it will inexorably and inevitably reshape—and misshape—the debates over euthanasia, over genetic and eugenic engineering, and over the protection of the severely handicapped.

That is why conservatives, and indeed all men and women of moral seriousness, have a very large stake in doing everything in our legal and political power to prevent the new administration from honoring the IOUs that will surely be presented to it by Planned Parenthood, the National Abortion Rights Action League, and the National Organization for Women. Millions of unborn lives are at stake. But so, down the line, are the lives of the inconveniently elderly and handicapped.

And so, fundamentally, is the question of whether the United States will, in its third century, exist in any recognizable moral and cultural continuity with its founding.

HENRY J. HYDE *represents the 6th District of Illinois and is chairman of the Republican Policy Committee.*

RICHARD D. LAND

The Clinton administration could hasten America's descent to an even more coarse and immoral society than the one in which we currently live. This is my chief overriding concern about Bill Clinton's stewardship of the Oval Office.

Although presidents are not and should not be the spiritual leaders of our nation, the moral influence of the White House is enormous. The "bully pulpit" is a powerful tool to shape public opinion and galvanize citizens to action.

This truth was evident during President Bush's tenure in the White House—both positively and negatively—from the perspective of conservative evangelical Christians.

The president used the influence of his office to convince Americans that Desert Storm was not just correct geopolitically, but ethically justifiable. He answered his critics in the religious community by citing "Just War Theory" in defense of his policy. The president made it clear on numerous occasions in the months leading up to the war that America and the free world had a moral obligation to stop Saddam Hussein's aggression.

However, President Bush also used, or perhaps allowed others to use, the moral influence of the Oval Office to begin to legitimate homosexuality. It was George Bush, not Jimmy Carter or some other liberal Democrat, who first invited the homosexual lobby to participate in an official White House bill-signing ceremony. The homosexual lobby understood the symbolic value of this event, which it deemed to be "historic."

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Americans turned to Bill Clinton because of the recession and the perception that George Bush was not responding rapidly or sympathetically enough to their economic problems. Clinton made the economy the overriding issue of the campaign—the posters in the campaign's Little Rock headquarters stating, "The economy, stupid," graphically illustrate this point.

So whatever mandate Americans gave Bill Clinton relates to the economy. And yet, I believe the most serious long-term damage President Clinton can do to our society relates to moral issues that are of deep concern to conservative evangelical Christians.

Although abortion, homosexual rights, and the redefinition of the family were not issues that were at the forefront of the Clinton campaign, the coalition that elected Bill Clinton will demand results on its agenda as well. More than any previous occupant of the Oval Office, Bill Clinton threatens to usher in radical changes in public policies as they relate to moral issues.

Abortion. At a time when the Supreme Court was one vote shy of reversing *Roe* v. *Wade*, the practice of abortion on demand could become even more imbedded in our society under the Clinton administration. The Freedom of Choice Act, the most radical pro-abortion legislation ever considered by Congress, will be a high priority for the Clinton team.

For the first time since 1976, taxpayers may be forced to pay for hundreds of thousands of abortions.

Many pro-life policies that were established by President Reagan and maintained by President Bush will be immediately overturned by President Clinton via executive orders. Under Clinton, the federal government will fund abortion counselling, fetal-tissue transplantation experiments, and international family-planning organizations that perform abortions, just to name a few of the changes.

Homosexuality. The homosexual lobby expects much from the Clinton administration. Clinton intends to fulfill his promise to lift the ban that prohibits homosexuals from serving in the military. Additionally, Clinton will likely sign an executive order providing protections to homosexuals employed by the federal government. Although considerably more difficult to achieve, the perennial homosexual civil-rights bill will now have the stated support of the president of the United States.

In a related policy area of concern to the homosexual lobby, Clinton plans to appoint an "AIDS czar" who may well support needle-exchange programs and the distribution of condoms in public schools.

Finally, the homosexual lobby will put significant pressure on the National Endowment for the Arts and other federal agencies to give grants of public money to further legitimate the lifestyle.

Redefinition of the Family. Although "family values" were heavily discussed during the summer, the Bush–Quayle campaign fled from the issue because of media attacks after the Republican National Convention. The success of Dan Quayle's efforts on this issue became obvious when Bill Clinton and Al Gore felt compelled to use the rhetoric in their speeches at the Democratic National Convention.

AP/Wide World

Just as only Nixon could go to China, only a Democrat can push reform in entitlement programs.
—Fred L. Smith Jr.

Even so, the Clinton coalition will seek every available opportunity to use the federal government, through policies, grants, and studies, to broaden and redefine the traditional concept of the family. It remains to be seen what influence Hillary Clinton will have on these policies, especially as they pertain to children's rights.

How do we intend to respond?

First, as conservative evangelicals we understand the biblical admonition to pray for "kings and all who are in authority" (I Timothy 2:1–2). Therefore, we will pray for President Clinton with faith and confidence that "the king's heart is in the hand of the Lord, as the rivers of water: he turneth it whithersoever he will" (Proverbs 21:1). This is a Christian duty we will not ignore.

Second, as the public-policy agency of the Southern Baptist Convention, the denomination with which Bill Clinton's and Al Gore's home churches are affiliated, we will remind the president and vice president of the moral teachings of the Bible on these issues as most Southern Baptists traditionally have understood them. We will seek to hold Bill Clinton accountable for the policies that he pursues that clearly contradict such Southern Baptist understanding of Scripture.

Third, conservative evangelical Christians must continue to remind the media and the general public that Bill Clinton's election was not a repudiation of our concerns nor a mandate for radical social change. Instead, Clinton was elected because of George Bush's inept handling of the economy and the Bush/Quayle campaign's lack of focus on Clinton's liberal positions on moral issues.

Fourth, we do not intend to give up on any of these issues without a fight. If Bill Clinton wants to use his

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election as a manifesto for radical change, he should have to fight to succeed on every front. Furthermore, Congress must be made to answer for its acquiescence or silence in the face of these changes.

Fifth, conservative evangelical Christians must again get back to the business of grassroots education and activism. For too long, conservative evangelicals have pinned their hopes on the success of politicians instead of relying on an informed, motivated, and involved constituency.

Sixth and most important, as conservative evangelical Christians we recognize that ultimately only a nationwide spiritual renewal offers America long-term hope in addressing these moral issues. While we will fulfill our biblical mandate to be involved in our government, we will not overemphasize that mandate to the exclusion of our most important mandate: the Great Commission.

I remain hopeful that the prospect of a president intent on using his office to promote radical cultural and moral changes will awaken conservative evangelicals of all parties and backgrounds and energize them for the non-partisan, interdenominational struggle that lies ahead for the nation's "soul."

RICHARD D. LAND *is executive director of the Christian Life Commission of the Southern Baptist Convention.*

JAMES C. MILLER III

Bill Clinton plans a number of initiatives that will harm the country. Here are six that conservatives should be mobilizing to oppose:

1) **Raise taxes.** Taxing the rich and foreign corporations won't give President Clinton the revenue he needs. To make up the difference, he'll have to go after "loopholes" and enforcement, and he'll have to raise taxes further down the income ladder. These and other tax increases will slow economic growth, restrain the rise in federal revenue, and play havoc with the deficit.

Conservatives' options for countering tax increases are limited. Major reliance could be placed on the Senate filibuster. But here Republicans are at a disadvantage (defending the rich), and filibuster strength may not hold. A new paradigm must be articulated. Here's a suggestion: most people would be willing to see taxes go up—and even suffer a little slowdown—if the money went to reduce the deficit. But, as we have seen, Congress operates like a revenue maximizer and treats tax revenue, plus allowable deficit, as a budget restraint. The conservative line of argument should be that additional tax measures will only increase spending, not reduce the deficit. Would people prefer to finance more pork and program expansions or keep that money for themselves?

Clinton's economic plan, his rhetoric, and his choice of advisers suggest a bigger federal role in the marketplace.

2) **Boost spending.** Governor Clinton's four-year economic plan contemplates $150 billion in new spending. Promises out to constituents would add much more. Moreover, Congress always squares or cubes any presidential spending proposal. Already, Clinton is talking about accepting an increase in the deficit in order to get an economic stimulus package enacted. Very clever: sweep special-interest spending into this package, and who's to complain?

Conservatives can oppose these measures on three grounds. First, identify the special-interest components and seek their exclusion. Second, point to study after study concluding that stimulus programs are notoriously inefficient and usually too late to help the economy. And third, point to the real causes for the slow recovery, especially regulatory impediments keeping financial institutions from expanding credit.

3) **Savage defense.** Although the world is hardly a safe place, Clinton proposes to cut defense spending to levels prevailing before the defense build-up of the 1980s. Moreover, looking for ways to finance higher domestic spending, Congress is likely to cut defense even more. And, whatever the social merits, Clinton's decision to integrate homosexuals into the military is sure to harm morale and impair readiness.

Unfortunately, the most effective tactic here would be to appeal to the employment and economic activity defense spending generates. "Congressman Jones, do you really want us to discharge so many fine young soldiers from your district? What about that mobile troop transport that's made right there in River City?" Of less effectiveness generally, but important nonetheless, would be to appeal to the need to maintain world peace.

4) **Institute industrial policy.** Clinton's economic plan, his rhetoric, and his choice of advisers (*e.g.*, Robert Reich), suggest a bigger role for the federal government in the marketplace. "Infrastructure" (not just transportation), consortiums, winners and losers—all are part of the Clinton approach. The major problem is that this strategy simply doesn't work—as recognized by the rest of the world, if not the United States.

Opposition should go further than trying to convince people that prior experiments largely have failed. Rhetoric will help: "Do you really think a federal bureaucrat can run the XYZ industry?" But also, paint supporters of this approach as rent-seekers, out to feather their own nests. And, convince the rest that, under the Clinton plan, *they* will be the losers.

5) **Open the regulatory floodgates.** In the early 1980s, the regulatory tidal wave receded. Now it's back with a vengeance. As President Clinton looks for ways to satisfy constituents without spending money, he'll look to regulation. Bills mandating medical benefits and family

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Well-meaning liberals, upon joining government, become bureaucratic sadists, apparently enjoying the pain inflicted upon the nation by their regulations and meddling.—Burton Yale Pines

leave are both slated for early congressional action.

The most effective arguments against regulatory excesses are: a) it slows economic growth, costs jobs, and raises prices; b) it creates little of value—indeed, the "science" behind many initiatives is practically non-existent; and c) it creates mounds of paperwork that somebody has to cope with (*e.g.*, filling out tax forms). Conservatives need to write more about these problems. Political men and women of integrity and vision need to stand and be counted.

6) **Institute incumbent-protection campaign reforms.** Many Americans are revolted by the amounts spent on marketing candidates (although, given the importance of the choice, it's really very little). Moreover, most candidates hate to raise money. (Sure, it's easier to "govern" than to explain why what you've done merits financial support.) The problem is, the campaign reforms supported by Governor Clinton and his fellow Democrats on Capitol Hill would give incumbents a greater advantage than they have now—reducing political competition and making government less effective, less responsive, and less accountable. Moreover, these reforms would tend to make liberals warm and cozy, and freeze conservatives out.

This, of course, is a filibuster issue, since the greater threat is to Republicans. But much needs to be done to shore up filibuster strength. Perhaps casting the protection of incumbents as just one more reason to support term limits might do the trick.

This is not to say that President Clinton will always disappoint conservatives. He may, in fact, be able to accomplish some things a Republican (conservative) president couldn't. Take, for example, all the attention being given by the Clinton entourage to David Osborne and Ted Gaebler's new book, *Reinventing Government.* Osborne and Gaebler say that bureaucrats face incentives that encourage them to fail, not succeed. No kidding! And, they say, sometimes the private sector can take over the functions of government and do a better job, at lower cost. We conservatives call that privatization! So, just as Nixon went to China, Clinton may do us a good turn, now and then.

JAMES C. MILLER III, *chairman of Citizens for a Sound Economy, was director of the Office of Management and Budget from 1985 to 1988.*

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Gary Palmer

For many conservatives across the nation, the outcome of the election was a cause for grave concern. The policies of the Clinton administration will challenge the fundamental beliefs and values of millions of Americans.

The good news is that Clinton won with only 43 percent of the vote. Democrats in Congress will have to choose whether to risk their political capital supporting the unpopular positions of a president who does not have much political capital himself. Congress will not necessarily support the Freedom of Choice Act, a liberal activist litmus test for judicial appointees, or Al Gore's radical environmentalism that would regulate U.S. business into oblivion.

Clinton's best chance for political leverage is that the economy is already improving. He will make political hay out of economic growth to offset the stiff resistance to his social policies from conservative Democrats and Republicans.

But Clinton is already risking his honeymoon with Congress by endorsing homosexuals in the military, over the opposition of much of the military's top brass. Conservatives should be able to capitalize on this issue. If the debate on homosexuals in the military can be framed as a national security risk that would hurt military discipline and morale, it could damage Clinton politically.

Clinton will probably try to require that public schools present homosexuality as a normal lifestyle in sex-education courses. He is committed to the distribution of condoms in all public schools and will likely support the establishment of school-based clinics nationwide. He may push for a civil-rights act for homosexuals that will give them minority status based on sexual orientation.

Hillary Clinton's views on the family, particularly parent–child relationships, are anything but traditional. She is the best hope of radical feminists to achieve some of the social and cultural agenda that they have been unable to achieve otherwise. This agenda includes passage of the Equal Rights Amendment and allowing women in combat, which will hurt military strength and take our armed forces another step back to a Carter-era level of mediocrity. To resist the Clinton administration on these and other issues, the conservative movement will have to communicate better with the people. If Americans know what is about to happen to them and to their children, they will rally to the conservative side. Most citizens don't want a tax-and-spend big-growth government further intruding into their lives.

Clinton cannot make good on all, or even most, of his campaign promises for change without significant increases in government spending. And he cannot increase government spending without taxing the middle class. He has promised a fully funded Head Start program, a national health-care plan, family leave, expanded day-care funding, and major environmental regulations, all of which will cost billions. Conservatives must let the people know that four years of Clinton will expand the government's role in the everyday life of everyday Americans to the point that Americans will have to work every day just to pay for it. And they need to let the people know that if the Clinton administration keeps its promises of radical social and cultural change, we will pay that debt with the hearts and souls of our children and grandchildren.

Gary Palmer *is executive director of the Alabama Family Alliance.*

Burton Yale Pines

For conservatives, the good news is that George Bush is gone. No longer encumbered by his embarrassing incumbency, conservatives again have a chance to speak to America in that clear voice and with that compelling message that won a string of presidential victories.

The not-so-good news is that Bill Clinton is president. With the ball now in his court and with his party running Congress, he quickly can score points in at least six areas that, if his campaign rhetoric is to be trusted, will impose great pain on the nation.

1) He will raise taxes in ways penalizing work, savings, investment, risk-taking, and entrepreneurship.

2) He will sign into law what congressional Democrats deceptively call "campaign-finance reform" that, in reality, is designed to make it even more difficult for challengers to topple incumbents.

3) He will adopt some form of industrial policy by which Washington will direct resources toward and erect protective barriers for specific (ostensibly "promising") industries. By doing so, he will politicize major economic decisions and thus give enormous advantage to established industries that have the political muscle and know-how to play the Washington game. Outgunned will be fledgling emerging industries lacking the resources and skills for the major lobbying required to win industrial-policy favors.

4) He will push Albert Gore's scorched-earth environmental policies, thereby imposing vastly greater burdens on the U.S. economy and restrictions on individual liberty than those inflicted by any other industrial nation.

5) He will launch, perhaps mimicking John F. Kennedy, a crusading foreign policy committing American resources and risking American lives in regions of little or no importance to America. While such a muscular foreign policy was appropriate in the frigid Cold War of Kennedy's time, today it would be reckless.

6) He will staff the middle and lower reaches of his administration, where almost all actual Executive-Branch decisions are made, by drawing from the Democratic Party's Mondale-era Rolodex. These generally well-meaning liberals, upon joining government, become bureaucratic sadists, apparently enjoying the pain in-

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flicted upon the American people by their regulations and meddling. Operating as if Washington owns a monopoly on wisdom and compassion, these liberals will quash whatever populist impulses Clinton may bring from Arkansas.

All this confronts conservatives with a daunting task. However, this task would have been no less daunting had Bush been re-elected. Conservatives would have opposed a second Bush administration probably as intensely as they will a Clinton administration.

Indeed, it is this conservative opposition that seems to have denied Bush his second term. Although Bush and his aides long smugly calculated that conservatives had no alternative but to vote for Bush, election-day exit polls proved the White House wrong. Only 65 percent of conservatives voted for Bush, down from the 80 percent who did so four years ago and from the 82 percent who voted for Reagan in 1984. The 15 percent of conservatives who defected from Bush in the past four years accounted for nearly five popular-vote percentage points—Clinton's margin of victory.

With Clinton in the Oval Office, as would have been the case with a Bush second term, we conservatives now must regroup our forces, re-hone our arguments, and recapture the momentum of political dynamics. We can do this in six ways.

1) We must expand our base, committing sizeable resources and enormous efforts to bring blacks, Hispanics, and Asians into conservative ranks. Although great numbers of these constituencies are conservative by inclination (a plurality of blacks, for example, describe themselves as "conservative"), they view the conservative movement with suspicion. We can make a compelling case that although such suspicions may have been justified in the past, they no longer are.

2) We must disinter the Reagan legacy that was buried by Bush. Ronald Reagan's domestic- and foreign-policy triumphs, his anti-government populism, his message of optimism, and his vision of America's place in the world and of an individual's place in society remain conservatism's most important lodestars. A Reagan hagiography is as potentially valuable to conservatives as Franklin Roosevelt's hagiography was to two generations of liberals.

3) We must devise a rhetoric appropriate for the 1990s that includes, rather than excludes, groups of Americans and conveys the meaning and appeal of the venerable conservative principles of limited and decentralized government, individualism, free enterprise and free trade, traditional Western values, and patriotism.

4) We must design new technologies for communicating with and mobilizing grassroots conservative activists. Just as conservatives recognize the validity of a new paradigm for policy, we must create a new paradigm for operations.

5) We must reaffirm our commitment to small government and explicitly confront the danger that the dozen years running the federal bureaucracy have seduced some conservatives into flirting with big-government solutions to society's problems.

Conservatives would have opposed a second Bush administration as intensely as they will a Clinton administration.

6) We must regain the mantle, forfeited in the past four years, as champion of grassroots America in its battle against Washington's elites. More than anything else, the anti-incumbency and term-limitation waves and the surprising ballot-box strength of Ross Perot are a protest against an arrogant, imperial Washington. Conservatives are the natural leaders of this protest.

These half-dozen actions will give conservatives a clear voice and compelling message that can be delivered by conservatives on Capitol Hill, by the growing number of state-level conservative think-tanks, by national conservative organizations, and by conservative columnists, commentators, and talk-show hosts. This message and the forces that it unleashes will blunt much of what Clinton will attempt. More important, it will begin the Saturn Project-like process—modeled on General Motors's successful effort to fundamentally reinvent how cars are made—rejuvenating our conservative movement and giving us the muscle we need for conservative victories in the elections of 1994 and 1996.

BURTON YALE PINES, *chairman of the Washington-based National Center for Public Policy Research, was formerly associate publisher of* Policy Review.

FRED L. SMITH JR.

For the past four years, the economy has labored under steadily increasing regulatory and fiscal burdens. President Bush's lips may have spoken free-market messages, but his policies—and those of the spendthrift Congress—told a completely different story. Unfortunately, little of this is likely to change under the new administration. Clinton may hesitate to tax and spend, but it is unlikely that his advisors will be hesitant to regulate and intervene in the economy. The biggest threat this administration poses is that of an activist government that sees no problem as beyond the scope of its mandate.

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Drawing by Steve Schwalm for *Policy Review*.

Clinton and Gore will suffocate business in even more red and green tape. — Representative Dick Armey

Of great concern is health care. Small business is already reeling from government policies that greatly inflate the costs of employing workers, yet it is small business that is necessary if this country is going to experience net job growth. Any "pay-or-play"-type system could be the nail in the coffin of small business growth, and how goes small business, so goes the economy. Moreover, the thought of federal bureaucrats doing to our health-care system what they have done to postal delivery is certainly sobering.

With Al Gore by his side, it is also likely that Clinton will continue the environmental push launched under the Bush administration. The 103rd Congress should see the reauthorization (read: "increasing the severity") of several major environmental bills, such as Superfund, the Clean Water Act, the Resource Conservation and Recovery Act, and the Endangered Species Act. Rather than reevaluating the general premises of the political regulatory approach embodied by these laws, this team will add to our failed environmental policies with an almost reckless abandon. Automobile CAFE standards may well be raised, forcing consumers, once again, into smaller, lighter, and therefore less safe, cars. Eco-taxes, on everything from virgin pulp to heating oil, are a real possibility, and would do more to choke the engine of growth than to improve environmental quality.

These steps, for Gore, will only be the beginning. There is still a biodiversity convention and an international forest protocol to be signed, and the Clinton administration has stated its intent to globalize existing U.S. environmental and worker-safety regulation to all prospective trading partners. This will be the death of free trade (already on life-support), and could thoroughly impoverish much of the Third World. "Scientific" management of the economy—to achieve a wide range of social goals—may well return, but it is not more likely to succeed today than it was in the past.

While this picture is a grim one, the enactment of these policies is not a foregone conclusion. Clinton's electoral mandate is to create jobs, but his stated intention is to increase the costs of hiring workers. Once he is in the White House, he can no longer have it both ways.

Clinton demonstrated in his campaign that he isn't stupid, and once in office he will come face to face with the pitfalls of regulatory overreach. Indeed, to stem this problem, the Clinton administration's equivalent of the infamous Council on Competitiveness will require far more authority over federal regulations than Dan Quayle's staff ever had. Clinton was elected on the back of a broken economy, and he does not want to allow a Republican to do the same four years hence.

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Just as it was true that only Nixon could go to China, it is possible that only a Democrat can push reform in many economic areas, from entitlement programs to public lands, that the Republicans have been afraid to touch. Clinton is a fan of *Reinventing Government* authors David Osborne and Ted Gaebler, and so he may even be amenable to privatization in many areas and a return to the local autonomy embodied in federalism. If Al Gore's fanaticism is kept in check, this could even happen with the environment. For this to happen, however, the tendency must be nurtured.

More important, free marketeers must begin to adopt a more principled long-term strategy. Too much time has been spent on trying elect individuals, rather than changing the underlying political and intellectual climate. The result has been an election between Bush and Clinton—neither representing a principled defense of free enterprise and limited government. Unless we return to articulating the practical, economic, social, and moral reasons for supporting a society of free and responsible individuals, this is unlikely to change.

FRED L. SMITH JR. *is president and founder of the Competitive Enterprise Institute.*

VIN WEBER

Bill Clinton ran for president—and won—as a "centrist." He calls himself a "new Democrat."

He also won with only 43 percent of the popular vote, giving President-elect Clinton only one mandate: not to be a liberal. Beyond that, he is free to shape his own agenda. He must realize, however, that he will be pulled in two directions.

While Clinton the man may be a moderate, Clinton the politician will be pulled left by a Congress that turns more liberal with each election cycle. In the House, the election of Dave Bonior as Majority Whip shows that the liberal faction is ascendant in that body. Senate Majority Leader George Mitchell is decidedly left-leaning, and we certainly should not expect Senators-elect Patty Murray, Barbara Boxer, Russ Feingold, and Carol Mosely Braun to join the moderate/conservative Democratic Leadership Council.

In this kind of political atmosphere Clinton will be challenged to uphold his campaign and convention image while placating a Democrat-controlled Congress that is just waiting to flex its muscles. There are four major policy areas that will provide Clinton with the stiffest challenges:

Defense policy. With the collapse of Communism and our decisive victory in the Gulf War, many liberal Democrats are quick to find ways to raid our defense treasury. Yet Bill Clinton has called for defense cuts that are only 5 percent below George Bush's proposed trimming.

Should Clinton lower his floor for defense cuts, Congress will seize the opening. Congressional Democrats have no floor when it comes to cutting defense, and if the president cannot show his strength here, we'll end up gutting our defense budget.

Of course, events in the real world suggest that Clinton and Congress should go easy. The instability of Yeltsin's government, Bosnia-Herzegovina, and the Middle East are all reasons to keep cuts to a minimum. Anything more would be a mistake of the first order.

Economic and tax policy. The early months of the Clinton administration will tell us a good deal about the future thrust of our economic policy.

Clinton campaigned on economic-growth initiatives to boost our sagging economy. Congress, however, is fixated on deficit reduction. George Bush found out the hard way that both policy options cannot take first priority.

Will Clinton stick to his campaign rhetoric and push economic growth? Or will he attempt to appease the Democratic Congress by focusing on the deficit? If the latter, Congress will surely move to raise taxes.

Clinton won with just 43 percent of the vote, giving him only one mandate: not to be a liberal.

During the campaign, Clinton promised not to raise the marginal tax rates of people making less than $200,000 a year. Congress is not likely to press Clinton to break that promise. Still, an imaginative House Ways and Means Committee can raise everyone's taxes without changing the marginal rates at all. For instance, gas and value-added taxes will both have a negative impact on the economy, but at least they won't fly in the face of Clinton's campaign promises.

Social policy. This was supposed to be a risk-free giveaway to the left. And it is, as long as the issues remain in the abstract. Painting the GOP as defenders of the status quo, against women's rights and gay rights, is almost guaranteed to score political points. But now Clinton must deal in specifics. Reinstating gays in the military has not proved to be as risk-free as he might have wanted. It is quite clear that America is not the socially left-wing nation Clinton was hoping to find.

It is hard to overstate our president-elect's complete commitment to the agenda of the far left on these issues. The question is whether or not he can maintain this loyalty as leader of a country that is far more ambivalent on these issues than he.

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Trade. Clinton has been very vocal in his support of the North American Free Trade Agreement (NAFTA), as long as it includes some of his own restrictions. Should this trade agreement fail, it would be a blunder of enormous proportions—not only for Clinton, but for this country as well. As with the economy, Clinton's challenge comes from within his own party. Unions, for instance, have a good deal at stake in this debate, and are quite adamant in their opposition to the agreement. NAFTA will provide a real testing ground for Bill Clinton's leadership abilities.

"The conservative agenda." Finally, there is a series of issues that belong under the conservative umbrella. These include welfare reform, the line-item veto, and school choice. How the president-elect responds to these issues will tell us a good deal about how new this "new Democrat" really is. If these issues are pushed aside, we'll know that all of Clinton's talk about being new is just a smoke screen for the same old Democratic agenda. Conservatives must see to it that these issues remain in the realm of debate. Forcing President-elect Clinton to respond to them will show us his true colors and will give him much-needed definition on some important areas of domestic policy.

Republicans in general and conservatives in particular need not be devastated by November's election results. The next four years will provide us with an opportunity to refocus and sharpen our agenda.

We must reshape our economic policy to reflect the importance of economic growth. We must look for new ways to address the problems of poverty and the underclass. And we must continue to press for reform in our health-care system.

This is a time of opportunity for us. By mobilizing around these issues and holding the president accountable for his campaign rhetoric, we can still play an important role in the coming public-policy debates.

VIN WEBER *is retiring from the U.S. House of Representatives after 12 years representing the 2nd District of Minnesota.*

PAUL M. WEYRICH

President Clinton is likely to do a number of things that will raise concern among conservatives: appoint bad judges, raise taxes, allow homosexuals to enlist in the armed forces, put women into combat positions, and so forth. But frankly, I am more concerned with what President Clinton is *not* likely to do. To prosper, perhaps even to survive, our nation needs to tackle some difficult problems and make some fundamental reforms. The central challenges include:

The new conservative movement cannot be tied to the Republican Party.

Restore order in our cities. Increasingly in many urban areas civil society no longer exists. The streets are ruled by gangs, drug dealers, and hired gunmen. The areas controlled by criminal elements are expanding, not shrinking. It will not be long before suburbanites are directly affected, as some already have been by crimes like carjacking. When that happens, we will be poised to cross the line from criminal activity into internal war. Successive governments have labelled this problem "too hard" and swept it under the rug. It only gets harder with time; we have to deal with it now, before we have a war on our hands.

Reverse the fragmentation of our nation into a patchwork of mutually hostile ethnic, lifestyle, and interest groups. Two things have always held our diverse nation together: steadily rising prosperity and a shared system of basic values. For several decades, living standards have been stagnant or falling for the middle class. In more recent years, our shared culture has been under a vicious assault, an assault that has sought to emphasize our differences and set each group, defined by ethnic origin, lifestyle, or self-interest, against all other groups. If we wonder where this can lead, we need only look at Yugoslavia. Yes, it can happen here. We need to reverse course fast and reassert our traditional culture against those who are trying to destroy it.

Reform our political system. The fact that Ross Perot got more than 20 percent of the vote in a majority of states shows that people want reform—indeed, are demanding it. Reform means term limits and limits on campaign contributions (including in-kind contributions) to weaken the power of special interests, cutting the number of executive and legislative staffers, cutting legislators' pay, and limiting the length of sessions so they again really live in their states and districts, and similar measures. The goal should be to replace the professional politician with the citizen-legislator.

Reverse the steady movement toward a financial and economic catastrophe. More and more people see a crash coming, and with reason. Avoiding it means balancing the budget, increasing the return on capital investment by easing the tax and regulatory burden on business, rewarding and thus increasing savings, and revitalizing the manufacturing sector of our economy. On many of these points, Perot was right on target, and people know it.

Helping democracy succeed in Russia. We have an immense stake in what is going on today in the former Soviet Union. If the democratic experiment there fails, we will inevitably be caught up in the chaos that will follow it—which could include civil war with nuclear

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weapons. We cannot remain a mere spectator, looking on passively at the most important international event in the last half of the 20th century. Helping democracy in Russia does not necessarily mean pumping in billions of dollars in government money. It does mean a massive people-to-people effort. This should be at the top of our foreign-policy agenda.

Will President Clinton do these things? Many of the activist elements in the Democratic Party will oppose him if he does, although many of the people whose votes elected him will cheer him on. What can conservatives do to push him in the right direction? The most effective thing we can do is build a new conservative movement—not try to resurrect the old one, which was built around anti-Communism, a dead issue—with four key characteristics:

First, it should be built around cultural more than economic issues. Even most of our economic problems have cultural roots. The American people realize that things are going badly because people are behaving badly. Americans are willing to listen to a message of cultural renewal, of restoring traditional culture, values, and morals. The basis of American politics is shifting to culture, and a new conservative movement must be built on this fact.

Second, it must be a populist, anti-establishment, grass-roots conservative movement. We have suffered greatly from conservatives who care too much about whether they will be on the invitation list for White House parties (a concern they need no longer have, to our benefit). It is not important whether people "inside the Beltway" like us. It is very important that the vast number of Americans who live outside the Beltway identify with us. The Perot vote is a harbinger that the dividing line in American politics will be establishment versus anti-establishment, and the anti-establishment side will win because it will have the votes. That is the side the new conservative movement must be on.

Third, the new movement must include new allies. It must include the growing number of blacks who recognize that the "we're victims, give us welfare" line has been very destructive to the black community. It must include Hispanics, most of whom are culturally conservative. It must include blue-collar families. It cannot be the preserve of the country-club types, many of whom are not culturally conservative.

Finally, the new conservative movement cannot be tied to the Republican Party. To the degree we are seen as tied to one party, we lose our leverage. Further, the Republican Party does not like conservatives very much. As we saw over the past four years, it prefers to hold us at arm's length, throw us an occasional bone, and talk in the country club about how awful we are. We don't need the Republican Party. As Ross Perot showed, the days of two-party control of the system may be ending.

A new conservative movement built along these lines can help push any president, Democratic or Republican, to deal with the issues the nation must face or lose the way our recent do-nothing president lost. George Bush was not defeated for what he did but for what he didn't do. If President Clinton also avoids the tough issues, a new conservative movement can make sure that he loses in 1996, and that his successor is someone who will show political courage.

PAUL M. WEYRICH *is president of the Free Congress Foundation.*

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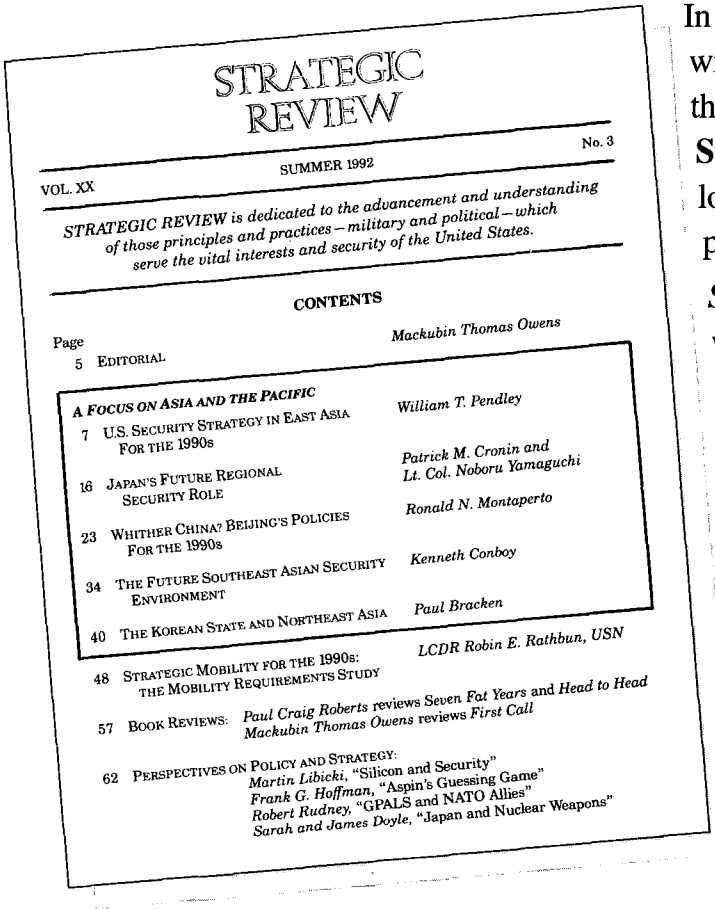

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Little Princes

The Petty Despotism of Congressional Staff

Eric Felten

"People asked me how I felt about being elected to Congress, and I told them I never thought I'd give up that much power voluntarily."

—Representative Norman Dicks (D–WA), on his election to Congress after spending eight years as an aide to Senator Warren Magnuson (D–WA)

Neil Sigmon is one of the most powerful people in Congress. But Sigmon is neither a senator nor a representative. A staff member for the House Appropriations Interior Subcommittee, he exercises de-facto control over a sizable corner of the federal government. Members of Congress leave most of the details in handling taxpayers' money to legislative aides such as Sigmon. With the purse-strings comes power.

Sigmon's job is to write the final version of the Interior Department's appropriation, fleshing out in legislative language the broad agreements made by the lawmakers. This gives Sigmon great discretion in how the taxpayers' money is spent: dropping or adding a few words can move tens of thousands of dollars into or out of a government program. No surprise, then, that Sigmon sometimes pursues his own policy preferences, or even acts to punish those who have displeased him.

Gerry Tays is one bureaucrat unlucky enough to have displeased Sigmon. Tays used to write the "Notes from the Hill" column in the National Park Service magazine, the *Courier.* One day Tays inserted a little jab against Congress into his column. "Having assured themselves a significant pay increase while retaining many of the 'perks' attendant to being a member of Congress," he wrote, "they made the nation safe again by recessing for the Christmas holidays in late December."

Harmless, you might think, even trite. Yet Sigmon didn't think so. He felt that his bosses had been slighted and launched a personal crusade against Tays. According to the *Washington Post,* Sigmon dressed down no fewer than four Park Service officials, including Deputy Director Herbert S. Cables Jr., spokesman George Berklacy, *Courier* Editor Mary Maruca, and Tays himself. All of them grovelled, apologizing to Sigmon for that most unpardonable of sins, criticizing Congress. To appease Sigmon's wrath, Tays was sacked from his job at the paper and reassigned to a position where he wouldn't get into trouble. The Park Service assumed this would be the end of the matter.

But even all this kowtowing was not enough to assuage Sigmon's outrage. When he got his hands on the next year's appropriations bill, he slashed $75,000 from the budget of the Park Service's Public Affairs Office—the precise amount used by that office to publish the *Courier.* Sigmon's congressional bosses never even noticed his petty act of revenge, and the Park Service survived: ultimately it found funds elsewhere to continue the publication. Still, Sigmon had sent his message. As an unnamed staffer told the *Post,* "From time to time, signals are sent to the agencies when they've been bad." You can bet that the *Courier* will have no more criticisms, however trivial, of Congress.

Sigmon's vendetta may have been particularly mean-spirited, but it is by no means unique. Senators and representatives have little time, and even less inclination, to read the thousands of bills that are produced each session. In 1991 4,702 bills were introduced in the House, of which 248 were enacted. Of the 2,136 bills introduced in the Senate that year, 182 were approved. With so much activity, members are forced to rely on people such as Sigmon, whom they trust to represent their best political interests. In exchange, committee staffers become what congressional scholar Michael Malbin calls "unelected representatives," making decisions routinely affecting hundreds of millions of dollars.

Scripting the Senator

Members of Congress tolerate the arrogance of their minions for a variety of reasons. For one thing, many are arrogant themselves, and their staffs' actions and attitude seem innocuous by contrast. Even more important, many lawmakers have become products of their staffs. When legislators ask questions at hearings, more often than

Eric Felten *is an editorial writer for the* Washington Times. *This article is adapted from his forthcoming book,* The Ruling Class: Inside the Imperial Congress, *to be published by The Heritage Foundation.*

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not, their every remark has been scripted in advance by staff aides. What about follow-ups? Look for a staffer to lean over and whisper them into the member's ear. Most legislation gets its start at staffers' desks. Even when lawmakers give their aides broad outlines, the staff fills in the text. And when it comes time for that text to be voted on, few lawmakers will have read it, though again their aides will be there to tell them whether they ought

Follow-ups at hearings? Look for a staffer to whisper them into the member's ear.

to vote yes or no. It is not uncommon to see legislators rushing in for a roll call, looking for a staffer to flash a thumbs-up or -down so they will know how to vote.

The reason most often given for the growth and influence of staff is that Congress is just trying to match the executive branch, datum for datum. Once upon a time, Congress relied almost completely on the Department of Defense for estimates of military costs, and the Office of Management and Budget for estimates on economic growth. After Watergate, Congress moved to seize power back from what was characterized as an imperial presidency, and one of the key sources of presidential power Congress attacked was the executive's virtual monopoly on detailed information about government programs.

Congress might have cut back on the president's informational and bureaucratic resources. It chose instead to compete by erecting a parallel congressional bureaucracy. There were only 2,030 members of the House and Senate staff in 1947, a number that grew to 3,556 within 10 years. By 1972 there were 7,706 staffers, and in the short space of four years that number leapt to 10,190. Much of this increase was in committee staff. In 1965 the House had 571 aides working on committees. By 1985 that number had reached 2,009. On the Senate side the number rose from 509 to 1,080. The crowd of Capitol Hill assistants stabilized by the late 1970s, and in 1989 the total number of staff aides was at 11,406.

Many of these new staffers were deployed in members' offices, including district offices to drum up constituent service work. But much of the staff went to the burgeoning committees, creating a shadow bureaucracy, one that helps explain why cutting spending is so hard in Washington: for every corner of every federal program, there is not only a gaggle of bureaucrats desperate to protect and expand their turf, there are also one or more congressional staffers who have a stake in the program's existence. The bigger a program a staff aide oversees, the more power and importance he has. No aide, then, wants to allow, let alone propose, cutting spending in a program under his control. Lawmakers, at least, have their fingers in many pies, and thus are not necessarily threatened personally by the reduction or eradication of a program they are involved with. For many staffers, though, the particular program they oversee is their whole political existence. They protect this power jealously.

To match the analytical resources of the executive branch, Congress also devoted staff to new analytical bodies of its own. These bodies, and the staff that comprise them, have grown tremendously in power. The most dramatic example is the Congressional Budget Office (CBO), created in 1974. At first the CBO was primarily an informational body, generating economic forecasts independent of the executive branch's Council of Economic Advisers and the Office of Management and Budget (OMB). In 1985, however, the Gramm-Rudman-Hollings Deficit Reduction Act put the CBO on a level with the OMB by requiring it to join the OMB in providing the estimates used to pick the points at which automatic spending cuts would set in. Yet another congressional agency, the General Accounting Office (GAO), would have the final word. This gave the congressional staffers at the CBO and GAO unprecedented power over where, and how much, federal money would be spent. Though the Supreme Court eventually disallowed the CBO and GAO roles in setting spending cuts, public competition between the CBO and the executive branch's OMB continues. The agencies' estimates of the federal budget deficit have differed by as much as $50 billion in one year. Wall Street reacts to predictions by both groups, giving the number-crunchers even more influence. And the taxpayer foots the bill for everything.

Legislative Minutiae

The power of committee staffers comes primarily from their control of the minutiae of legislation. If members themselves had to draft legislation, it would likely be less complicated and abstruse than it is today, for the simple reason that members have neither the time nor the patience to put together thousand-page bills. Staffers, on the other hand, have both. Legislation consequently becomes a creature of staff, with twists and turns that only they understand and details that only they know how to exploit.

Members also rely on the committee staff to keep a bill moving forward. If a would-be law fails to pass during

True oversight is lost with power fragmented among so many subcommittees.

its first session, as most do, it is largely up to staff to keep the measure on the agenda, by scheduling meetings and hearings about the bill, gauging support and opposition, and working out compromises and forming coalitions.

So powerful are committee staffs that senators have personal aides on each committee on which they serve. These operatives are called "S. Res. 60" aides, after the

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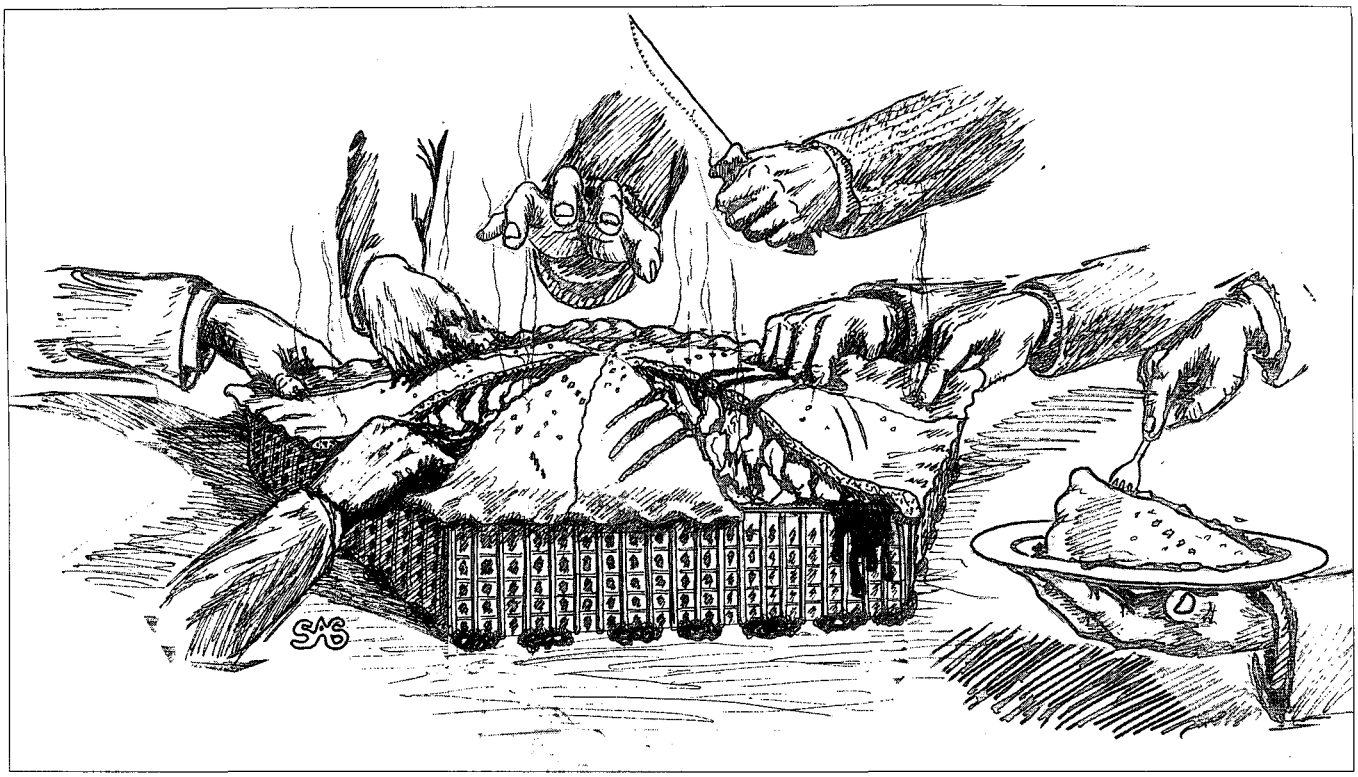

Drawing by Steve Schwalm for *Policy Review*

Over 100 committees and subcommittees claim jurisdiction over the Department of Defense.

1975 bill that created them. The arrangement is often criticized because it politicizes the committees with a new, partisan layer between committee staff and the members. But the need for committee aides responsible directly to senators is a result of the legislators' recognition that they have handed perhaps too much power to staffs. To get control of those staffs they—what else?—add another layer of staff, this time a layer more responsible to individual lawmakers. But the extra layer only reinforces the tendency of delegating responsibility to aides. With each senator having his own man on the committee staff, those staffers then conduct the debates and work out the compromises that senators, once upon a time, would have fought out themselves. The result is, of course, even more power for the unelected and invisible staff.

The 1987 Highway Bill is a typical result of this process, too long for individual consumption or comprehension. The hot political aspects of the $88 billion bill were easily reduced to evening news sound bites. But when the bill reached a conference committee there were hundreds of points of contention. Of these, staffers recommended that members deal directly with 18 major ones. Sixty smaller issues were highlighted for consideration by members with a particular interest. That meant there were 200 to 300 points to be negotiated by staff alone.

Packed Like Sardines

Members of Congress have put up with this explosion of staff not only to compete with the executive branch but also because it helped break apart the seniority system that put power in the hands of a few lawmakers. The old system was not without its advantages; congressional policies were more unified and coherent, and the White House could negotiate with Capitol Hill more easily, having to deal with only a limited number of people. The drawback was that congressional decisions were made in smoke-filled rooms by gerontocrats and their bureaucrat and lobbyist buddies. Younger lawmakers played along, rubber-stamping the decisions of the elder powers, hoping that they would be around long enough to someday assume the positions of power themselves.

The reforms of the 1970s demolished that system. Power was wrested from entrenched committee structures and spread around to individual members; individual members consequently took on more staff. In the new system, knowledge, not longevity, was at the core of power. The more staff a member had at his disposal, the more power he could wrest from the old congressional establishment and the executive branch. Thus the constant addition of ever-more staff, to the point where it has outstripped even the explosion of congressional office space, leading to sardine-like conditions in most Hill offices.

These newly expanded staffs have in turn facilitated the diffusion of power in Congress. Almost every member, for example, now has an aide responsible for foreign affairs; thus, lawmakers don't have to rely on the Foreign Affairs Committee. Indeed, the growth of staff has so helped to fragment power in Congress that there are over 100 different committees and subcommittees claiming jurisdiction over the Department of Defense alone. At least 74 have some influence in drug abuse policy. More than 110 committees and subcommittees have some jurisdiction over the Department of Housing and Urban Development (HUD). Those committees are full of staffers pushing for projects their bosses favor. True

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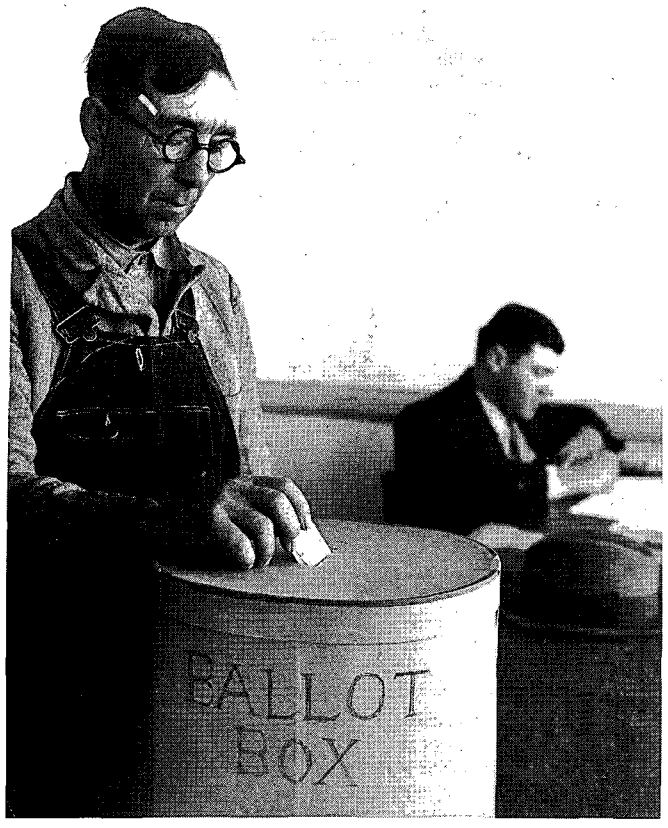

Archive Photos

No one elected committee staffers, who make decisions routinely affecting hundreds of millions of dollars.

oversight gets lost in the shuffle. How else can we explain the failure of Congress to expose the HUD scandal—in which sweetheart deals were packaged for friends of the agency's officials—until after the fact, even though HUD was receiving 2,400 telephone calls a month from members of Congress and their staffs.

The growth of staff has been expensive in budgetary terms as well. As former Senator William Proxmire, the Wisconsin Democrat, pointed out in awarding his famous "Golden Fleece" to Congress, "Added staff is...used to justify new buildings, more restaurants, added parking spaces, and greater support personnel." The legislative branch budget has soared by more than 3,000 percent since 1946 and is now well over $2 billion.

Faux Pas by Conyers

With all this staff, and all these resources, it might seem that Congress has no excuse for not doing its job well. In fact, the expansion of staff has had an inverse effect on efficiency. As members and senior staffers pursue their interests, basic oversight tasks are often left to junior staffers, sometimes high school or college interns. Take a February 4, 1992, letter to the Defense Department. President Bush had just announced a moratorium on all new regulations pending a review of existing rules to see if they should be revised or revoked. Representative John Conyers, head of the Committee on Government Operations, did not want the administration to think it could start playing around with regulations without hearing from Congress. The Michigan Democrat thus sent vaguely threatening letters to the head of every department and agency demanding the names and titles of any employees who were to be a part of the President's regulatory review.

The letter arriving at the Department of Defense, however, was addressed, not to Defense Secretary Dick Cheney, but to "The Honorable John G. Tower, Secretary of Defense." Although former Senator Tower had been nominated for that position at the beginning of the Bush administration, after a nasty battle he was not confirmed. More to the point, Tower had been killed in 1991 in a plane crash. A Conyers spokesman says it was a simple mistake: the intern drawing up the letters got the wrong mailing list (which means that several other letters were misaddressed as well). What makes it more telling is that these letters were intended to ensure that only Congress control regulatory law. The rulers on the Hill who want to micromanage the federal government can't even get the right name for the Secretary of Defense.

In fact, as committee staff has grown in influence, they have imitated their bosses in looking to turn the hard work over to others. Often this means using statistics that have conveniently been provided by advocates of one policy or another. Sometimes it means letting special interests write the first draft of a piece of legislation. The more staffers there are, the more legislation they end up proposing, to justify their existence if nothing else. But this means they never get ahead of the work curve. Always understaffed, aides are all too often beholden to lobbyists of diverse stripes for help in putting bills together. In addition, because staffers are far more accessible than members, the more staffers there are, the more access special interests can get (especially if the lobbyists are, as is usually the case, themselves ex-staffers).

As Mark Bisnow, once an aide to Senator Robert Dole, has pointed out, "The presence of specialized aides on each representative's staff has multiplied contact points for peddlers of influence...the thousands of lobbyists in Washington, many former staffers, would have little to do if they depended on personal audiences with Congressmen."

Gifts from Perot

Indeed, lobbyists and special-interest representatives sometimes court staffers more assiduously than they do members. Washington restaurants do a booming business on all the lunches bought for aides who have a direct say on legislation. Special interests and corporate lobbies fly congressional staffers around the globe on exotic "fact finding" missions. To be sure, these trips usually include a series of meetings and tours of relevant areas. But it's remarkable how often they coincide with, say, an NCAA basketball tournament.

Until recently most staffers faced even fewer limits than their bosses on accepting gifts and honoraria from interest groups. Although most staffers like to keep a low profile, that doesn't mean they don't jump at the chance to get on the lucrative lecture circuit. There are groups, such as Washington Campus, that regularly book speaking engagements for key aides.

William Pitts is a good example. An aide to House

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Minority Leader Robert Michel, he was profiled in 1989 by the *Wall Street Journal*. In 1988, the aide to the Illinois Republican had accepted $17,000 in honoraria. Just prior to the *Journal* interview he swore off accepting any more speaking fees. But the list of corporate contributors to Pitts was nonetheless interesting, including $2,000 from H. Ross Perot's oil company, H.R. Petroleum, and another $2,000 from Perot himself. If honoraria are ethically dubious for members of Congress, they should be all the more so for staffers, who, after all, are the only ones who actually know what is in many of those bills that members pass without ever having read them.

But free trips, lunches, and speaking fees are not the only ways staffers cash in. They may not make much money while on the Hill, but the pay is sweet when they leave to join a Washington lobbying firm. Even better, staffers planning to leave the Hill can create jobs for themselves by writing legislation so complex that only legislative experts, for a consulting fee, can unravel it.

Section 89 of the 925-page tax reform act is an example of legislation that provided employment for one who wrote it. A Capitol Hill lawyer named Kent Mason wrote the section, which imposed tax penalties on companies that didn't include low-paid and part-time employees in their health and pension plans. The measure was bound in so much red tape that it virtually promised full-time employment for those who could advise businesses on how to collect, analyze, and present the data needed to comply with the law. Nor was all that effort a one-time expense. The data had to be provided every year. One estimate concluded that American businesses would have to assign 2,000 full-time workers per year to comply.

So huge and complex was the Tax Reform Act that no one even noticed Section 89. The chairman of the Small Business Committee, Representative John LaFalce, a New York Democrat, organized a hearing only after it had become law and several small business owners complained they had to spend $24,000 to $60,000 in consulting fees just to figure out what Section 89 meant. Mason, who three months before the law was to take effect joined the Washington law firm Caplin and Drysdale, was eager to direct some of those fees his way. Had Section 89 not been repealed, Mason would have made a small fortune counselling businesses on how to comply with the law he had devised.

The Mayor of HUD

The greatest cost to the political system, however, is not from staffers getting rich. It's the way staff power perverts the legislative process and intrudes into the daily operations of executive agencies. One aide notorious for wielding his power to control the tiniest details of the executive branch is Kevin Kelly, the top staffer on the Senate Appropriations Subcommittee that approves spending for the Department of Housing and Urban Development (HUD). Kelly, who answers to Maryland Democratic Senator Barbara Mikulski, is effectively the author of the annual appropriations bill for HUD and several other agencies. Such is Kelly's power that, not only do executive branch employees hesitate to tangle with him, most House members also take pains not to offend him.

Over the last few years Kelly was at odds with HUD Secretary Jack Kemp, who came to HUD with the mandate to clean it up after a particularly embarrassing scandal. The previous secretary and some of his assistants had used HUD's discretionary fund to dole out juicy favors and pet projects to cronies and friends. Secretary Kemp moved to eliminate the kind of discretion that was abused, making all decisions involving HUD funds competitive rather than political. A point system with performance goals was set up to evaluate applications for funding. The projects with the most points were to be the only ones funded. This also meant there would be no room for pork projects back in the home district. Congress complained; Kevin Kelly went to work.

Kelly agreed to Kemp's plan to eliminate discretionary spending by the secretary. But, instead of eliminating the funding altogether, he turned it to his own use, becoming the gatekeeper for congressional pork projects. When members asked Kelly for money for their districts, he did not write the pork projects into the actual appropriations bill. Instead, he slipped them into the committee report that accompanied the legislation, a report that no one could change once it left Kelly's hands.

Secretary Kemp resisted Kelly's first attempt to control his budget through the report, which is never actually voted on. Because committee reports are not officially binding, HUD's General Counsel, Frank Keating, advised Kemp that he could ignore the line-item projects in the committee report. Kemp did just that. The following year, Kelly placed an item in the appropriations bill requiring the secretary to adhere to recommendations in the accompanying committee report. To make his point, Kelly also punished Keating for giving the secretary the advice about ignoring line-item projects by deleting the funding requested for nearly 50 lawyers that were to have been added to his staff. Several years later,

The power of committee staffers comes from legislative details that only they know how to exploit.

Keating was still in trouble in the Senate. Despite a long record of civil-rights activity, his nomination to be a federal judge was held up over transparently absurd charges of insensitivity.

Congressional staff see nothing wrong in doing business this way. A Senate Appropriations Committee aide points out in Kelly's defense that there has been a tradition of following committee report language as "the letter of the law," going back nearly 30 years. (Like Keating, most executive branch legal advisors dispute this claim.) The aide argues that legislating through

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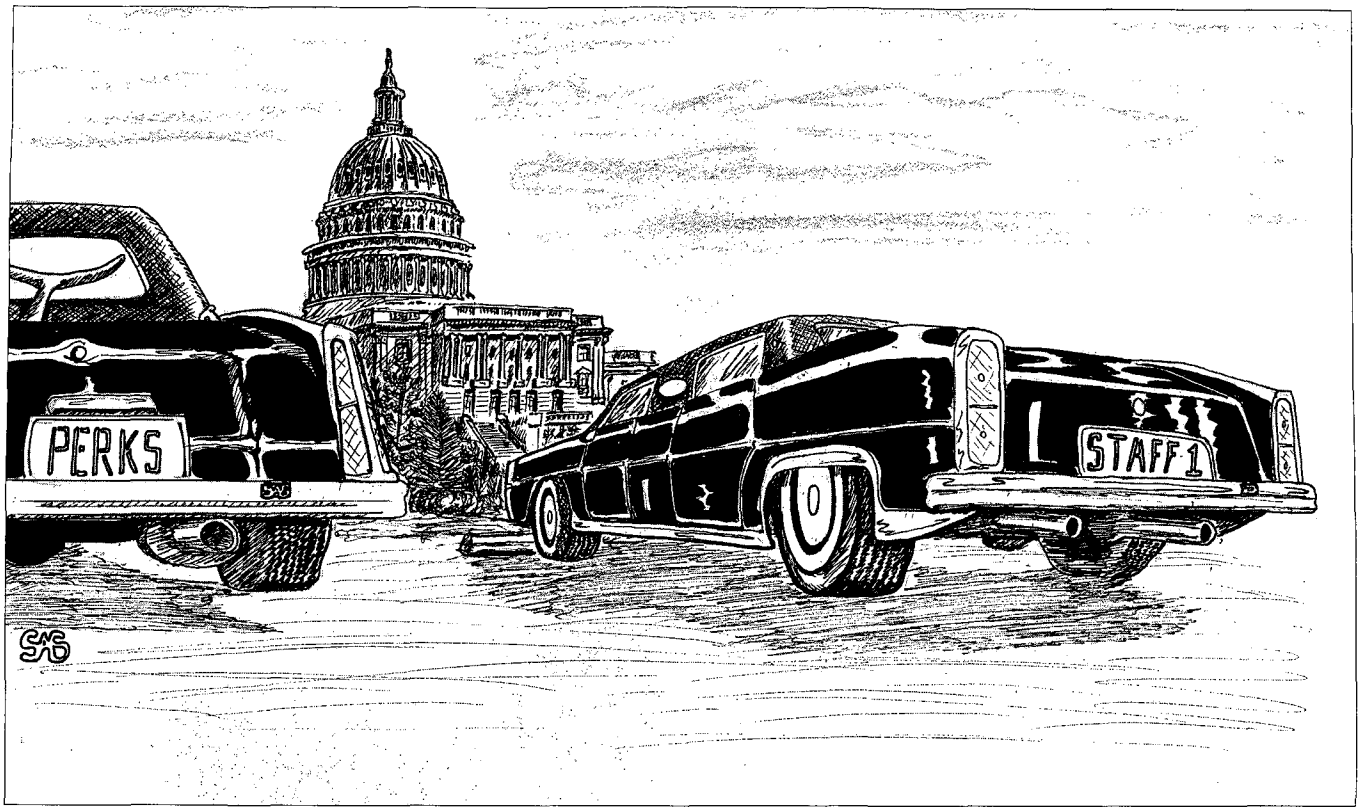

Drawing by Steve Schwalm for *Policy Review*

Senate Appropriations staffer Kevin Kelly refused to meet with officials at HUD unless the department sent a limousine for him. Special permission had to be obtained to authorize its use, but in the end, a car was sent.

committee reports is valid because the reports have to be approved by committee members, and the documents are, after all, public. By using the report language instead of the actual text of the bill, Congress gives executive departments the flexibility needed to manage efficiently. Just as lawmakers are relieved of going through the full and tedious legislative process, so too the executive agencies can get easy approval for programs by asking friendly committee staff to include them in the committee report.

Handing power to staff aides to make big-money decisions in the committee report may allow for occasional efficiency, but the main result is the augmented importance of staffers like Kelly. Not only are department officials at a disadvantage, but so too are members of Congress, who become supplicants, begging the Kellys of Capitol Hill to include their pet projects. A Republican staffer on the Senate Appropriations Committee says that, as Kelly has amassed power, access to him has become more difficult. Minority staff generally are limited to one audience per year with him.

Send Me a Limo

Kelly has also foiled attempts to reform the entrenched bureaucracy at HUD. The staff at HUD, as might be expected from any bureaucracy, was not eager to accommodate Kemp's reforms, especially since those reforms meant taking away much of their power. Knowing that bureaucrats feel more affinity with their congressional masters than with their ostensible bosses within the department, Kemp tried to ensure that career workers would not be in a position to hold up key reforms. One of the secretary's plans for dealing with this problem was to move officials who did not get with his program into the backwaters of the department, where they could not hinder his efforts at change.

Ever since HUD was established in 1966 the secretary has had the authority to move his employees around throughout the department as he wished. Most other agencies have the same flexibility. But it wasn't that easy for Kemp. One reason bureaucrats are loyal to their congressional overseers is that the Hill can protect them. The HUD employees Kemp wanted to neutralize turned to Kelly for help.

Kelly responded. As long as the appropriations for HUD came for the department as a whole, Kemp had the freedom to emphasize certain offices within the department and starve out those who stood in the way of change. Unlike the tradition of adherence to committee reports, Kelly felt no compunction in sweeping away this traditional arrangement. First he began writing the appropriations bill in seven sections, one for each division of HUD. In its new form, the bill includes not just the salaries and expenditures for the seven sections, but the number of employees who must work in each.

But Kelly didn't stop there. Although a database is standard in virtually all businesses, particularly those the size and scope of HUD, when Kemp tried to put one in, the appropriators refused to supply the money. This was not mere window-dressing: one reason Kemp wanted to update the archaic record-keeping system at HUD was that it was this sloppy system that enabled his predecessor, Samuel Pierce, to dole out the money at the height of the previous HUD scandal. In addition to stopping

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the new database, Kelly added the following provision to the HUD appropriations bill: "No funds may be used...for details of employees from any organization in the Department of Housing and Urban Development to any organization included under the budget activity 'Departmental Management.'" In other words, Kemp could not even, on a temporary basis, assign additional HUD employees to clean up the management mess he had inherited.

Mary Brunette, a senior policy advisor to Kemp, learned the hard way the consequences of tangling with Kelly. As assistant to the Secretary for Policy, Brunette played a key role in Kemp's efforts to reform the department and to oppose Kelly's pork. When Brunette was nominated for promotion to assistant secretary for Public Affairs, Kelly used the occasion to try to put her out of a job. While the confirmation was pending, the initial draft of the appropriations bill was put forward. The entire budget for public affairs had been eliminated. While funding for the office was eventually restored, although with a one-third cut in its budget, Brunette's promotion was delayed for months by Kelly's vendetta.

Lawmakers come and go, but key staffers like Kevin Kelly rarely leave, thus becoming the institutional memory of their committees. If Senator Mikulski loses or gives up her position as chairman of the subcommittee, her successor will inherit Kelly. And he will be happy to do so. Kelly is the only person who, practically speaking, can write his subcommittee's appropriations bill. Along with the power that comes from being the only mechanic who understands the machinery, staffers like Kelly enjoy leverage over pet projects and the power to put people out of jobs. If this doesn't make them the most important people in Washington, it at least makes them *think* they are.

When a group of HUD executives called for a meeting to work out some of their grievances, Kelly demanded that the department send a limousine to pick him up. HUD officials reminded him that the subway stopped practically in the basement of their building, and besides it was forbidden to use the HUD motor pool for such matters. This is the kind of fight that sets the pecking order in Washington. And it is a fight that Kelly was bound to win: he held out until special permission was secured from the deputy secretary. In the end, a car was sent.

Clinton Fumbles

Staffers escape unscathed in such instances because they are unaccountable except to their bosses, who are reluctant to rein them in because this same staff makes it possible for the member to function. Unlike senators or representatives, who are accountable at the ballot box, staffers work behind the curtains. They are the new rulers on Capitol Hill, a nameless, faceless mandarinate that pulls the strings and feeds off the worst impulses of the institution it claims to serve.

The remedy is obvious: cut staff. Fearing a confrontation with Capitol Hill, President-elect Bill Clinton now seems to be backing down from his campaign pledge to cut congressional staff by 25 percent. This gives other politicians an extraordinary opportunity to run with the ball he has fumbled. ☎

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Hold Your Fire

Gun Control Won't Stop Rising Violence

David B. Kopel

As deaths from rampant gun violence mount, and city-dwellers from Boston to Los Angeles learn to distinguish the pop of a Smith & Wesson pistol from the blast of a Winchester shotgun, Americans insist on action to combat the national crime epidemic.

Although the per-capita murder rate remains below the record set in 1980, the actual number of homicides reached an all-time high of 24,703 in 1991; most of these murders were committed with guns. Most disturbing of all is the rise in violent crimes committed by gun-wielding teenagers. Able to acquire illegal weapons with ease, in spite of a nationwide prohibition on firearms sales to minors, teenage thugs display a disregard for human life that would have shocked the criminals of earlier generations. The latest urban terror, "carjacking," is the seizure at gunpoint of automobiles from their drivers, usually women.

As armed gangs settle turf disputes over drug-selling territory through mortal combat, they kill not only each other, but also innocent bystanders caught in the crossfire. Firearms violence, once thought to be the problem of the inner city, is spreading into the suburbs and beyond. And with depressing frequency, newspapers report stories of children dying in senseless gun accidents. In Louisiana last October, a Japanese exchange student was mistakenly shot when he entered the wrong house on the way to a Halloween party, and, not understanding the warning, continued to advance toward the homeowner despite an order to "Freeze!"

To some well-meaning Americans, the antidote to gun crime is gun control. Senator John Chafee (R–RI) calls for the confiscation of all handguns. Other voices, such as Handgun Control, Inc.'s Sarah Brady, urge a national waiting period on handgun purchases, and a ban on assault weapons. The national media's insistent message is that we must "do something" about guns.

Meanwhile, the National Rifle Association adds tens of thousands of members every month—membership is at a record three million—and continues to stymie gun control at nearly every turn. Although the 99th, 100th, and 101st Congresses passed some minor gun controls, the 102nd Congress went home without enacting any new gun-control measures. The New Jersey legislature is ready to overturn its assault-weapon ban the moment the legislative leadership schedules a vote on the issue.

Critics of gun control believe that it violates the right to keep and bear arms guaranteed by the Second Amendment of the United States Constitution and by 43 state constitutions. In the American political tradition, the right to own a gun is seen as intimately related to the natural right of self-defense, to what John Locke described as the natural right to control and protect one's body and property. Millions of Americans consider an armed citizenry to be one of the principal safeguards against possible tyranny by the state.

The constitutional argument against laws that infringe on gun ownership was strengthened by the 1990 Supreme Court decision in *United States* v. *Verdugo-Urquidez*. There, Chief Justice Rehnquist observed that the phrase "right of the people" occurs several times in the Bill of Rights, specifically the Second Amendment's "right of the people to keep and bear arms," the First Amendment's "right of the people peaceably to assemble," and the Fourth Amendment's "right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures." In all cases, the Court said, the phrase "right of the people" was used as a "term of art" that referred to individual Americans.

But critics of gun control do not base their opposition on political principles alone. They also cite a large body of recent social science research, much of which has been produced by scholars who formerly believed that gun control was an obvious solution to crime.

Jimmy Carter's Shocker

When gun control first became an important national issue in the 1960s, there was almost no research worth noting on the subject. Partisans on both sides of the debate had hardly more ammunition than intuitions and

David B. Kopel *is director of the Second Amendment Project at the Independence Institute, a Golden, Colorado think-tank, and is the author of* The Samurai, the Mountie, and the Cowboy: Should America Adopt the Gun Controls of Other Democracies?

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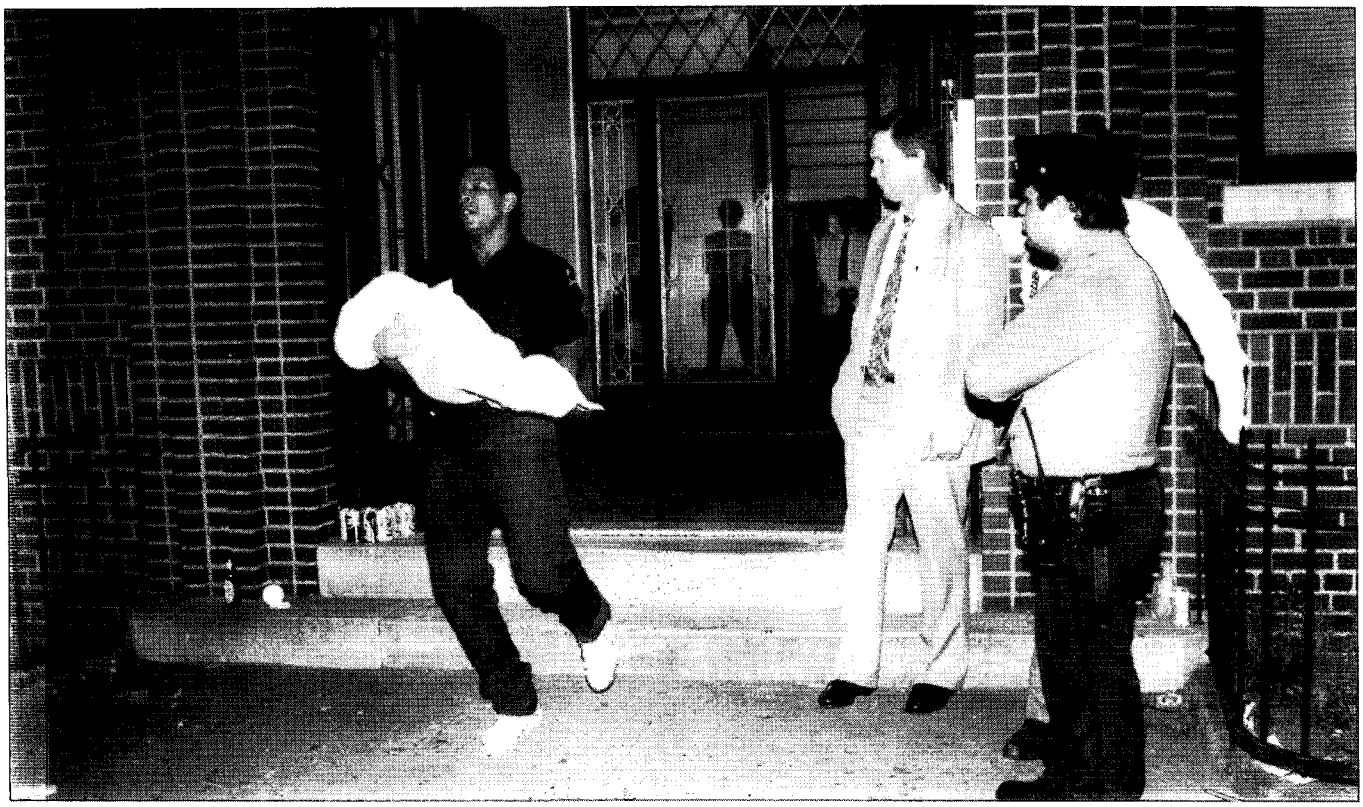

AP/Wide World Photos

As armed gangs settle turf disputes through mortal combat, innocent bystanders are caught in the crossfire.

bumper-sticker slogans.

The man most responsible for the change in the intellectual terms of the gun debate was Jimmy Carter, or, more precisely, the grant-review team that Carter appointed to the National Institute of Justice. Intending to build the case for comprehensive federal gun restrictions, the Carter administration handed out a major gun-control research grant in 1978 to sociology professor James D. Wright and his colleagues Peter Rossi and Kathleen Daly. Wright was already on record as favoring much stricter controls, and he and his colleagues were highly regarded sociologists. Rossi, a University of Massachusetts professor, would later become president of the American Sociology Association. Wright, who formerly served as director of the Social and Demographic Research Institute at the University of Massachusetts, now teaches at Tulane. Daly is now at the University of Michigan.

Wright and his colleagues were asked to survey the state of research regarding the efficacy of gun control, presumably to show that gun control worked and that America needed more of it. But when the researchers produced their report for the National Institute of Justice in 1982, they delivered a document quite different from the one they had expected to write. Carefully reviewing all existing research, the three scholars found no persuasive scholarly evidence that America's 20,000 gun-control laws had reduced criminal violence. For example, the federal Gun Control Act of 1968, which banned most interstate gun sales, had no discernible impact on the criminal acquisition of guns from other states. Washington, D.C.'s ban on the ownership of handguns that had not already been registered in the District was not linked to any reduction in gun crime. Even Detroit's law providing mandatory sentences for felonies committed with a gun was found to have no effect on gun-crime patterns, in part because judges would often reduce the sentence for the underlying offense in order to balance out the mandatory two-year extra sentence for use of a gun.

What Criminals Say About Gun Control

The most thorough subsequent study of the efficacy of gun control has been performed by Florida State University's Gary Kleck, who analyzed data for all 170 U.S. cities with a population over 100,000, testing for the impact of 19 different types of gun controls, and looking for the controls' effects on suicides, accidents, and five different crimes. Kleck, a liberal Democrat and ACLU member, found that gun controls did reduce gun suicide, but not the overall suicide rate. The only control that reduced crime was a strict penalty for carrying an illegal gun, which seemed to lower the robbery rate. Waiting periods, various licensing systems, and registration appeared to have no statistically discernible impact. Kleck's analysis was based on data for the years 1979–1981, and is included in his recent book, *Point Blank*, which contains the best single-volume overview of gun-control research.

Wright and Rossi produced another study for the National Institute of Justice, this one involving the habits of America's felons. Interviewing felony prisoners in 10 state correctional systems in 1981, Wright and Rossi found that gun-control laws had no effect on criminals' ability to obtain guns. Only 12 percent of criminals, and only 7 percent of the criminals specializing in handgun

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crime, had acquired their last crime handgun at a gun store. Of those, about one quarter had stolen the gun from a store; a large number of the rest, Wright and Rossi suggested, had probably procured the gun through a legal surrogate buyer, such as a girlfriend with a clean record. For the few remaining felons who actually did buy their own guns, the purchase might have been lawful because the purchaser as yet had no felony record.

The survey further indicated that 56 percent of the prisoners said that a criminal would not attack a potential victim who was known to be armed. Seventy-four percent agreed with the statement that "One reason burglars avoid houses where people are at home is that they fear being shot during the crime." Thirty-nine percent of the felons had personally decided not to commit a crime because they thought the victim might have a gun, and 8 percent said the experience had occurred "many times." Criminals in states with higher civilian gun-ownership rates worried the most about armed victims.

Since criminals can never be entirely sure which burglary targets may or may not contain a homeowner with a gun, or which potential robbery or rape victims may be carrying a concealed firearm, the ownership of firearms by half of American households provides a general deterrent to crime that benefits the entire population.

How Guns Prevent Crime

Consistent with the reports of criminals, ordinary citizens also report that gun ownership plays an important role in preventing crime. Professor Kleck estimates that handguns are used approximately 645,000 times for defense against an attacker every year in the United States.

The figure, ironically, is based on data from a survey conducted on behalf of the pro-control National Alliance Against Violence (NAAV). NAAV hired Peter Hart, a leading Democratic pollster, to survey Americans on guns, asking, among other things: "Within the past five years, have you yourself or another member of your household used a handgun, even if it was not fired, for self-protection or protection of property at home, work, or elsewhere, excluding military service or police work?" Six percent answered "yes." Follow-up questions revealed that 3 percent of the respondents had used the handgun against a person, 2 percent against an animal, and 1 percent against both. That 4 percent said "yes" to defensive gun use against persons meant that about 18 percent of households where a handgun was owned for protection had actually used the handgun for protection.

Carter's researchers found no persuasive evidence that any of America's gun-control laws had reduced criminal violence.

Kleck's analysis started with the 4-percent "yes" from Hart's data. Kleck made the conservative assumption that each "yes" related to only one gun usage in the last five years—that no household used a firearm for self-defense two or more times in the five years. Thus, 3,224,880 households reported self-defense usage. Kleck then divided by five (since the question had asked about usage in the last five years) to arrive at an estimate for the annual number of uses of a handgun for self-defense: 644,976—or roughly once every 48 seconds.

Since Kleck's estimate is based on responses to a pollster, it should be emphasized that the 645,000 figure is necessarily imprecise. The original question posed by Peter Hart could have elicited a "yes" answer from an insecure gun owner who had perceived a criminal threat that did not in fact exist. Kleck partly controlled self-defense inflation from false "yes" answers by assuming that no "yes" answer related to more than one defensive use. In addition, the 645,000 estimate applies only to handguns; the original question did not ask about defensive use of rifles or shotguns.

In 1990, Professor Gary Mauser, of Canada's Simon Fraser University, asked Americans about use of a handgun or a long gun for self-defense; the responses suggested approximately 691,000 annual defensive uses of guns of all types. Accordingly, we may conclude that guns are used defensively at least half a million times a year.

Of course, the fact that a gun is used for defense does not mean that a shot is fired, or an attacker wounded or killed. About 95 percent of self-defense usage, says Kleck, involves merely the brandishing of a weapon to deter a perceived attack.

While the majority of defensive handgun use is simply brandishing a weapon to frighten away an attacker, Kleck suggests that 1,700 to 3,100 homicides a year are actually justifiable homicides committed by citizens using a firearm to defend themselves or another person against violent attack.

One Bullet at a Time

While most Americans believe they have a right to own a gun, and believe that guns can be protective, even many gun owners are baffled at the gun lobby's apparent intransigence in its refusal to accept a ban on so-called assault weapons or a waiting period on gun purchases.

The assault-weapon issue, however, turns out to involve much less than meets the eye. First of all, it should be emphasized that most people who own semi-automatics support strong controls on actual machine guns. Ever since the National Firearms Act of 1934, acquisition of real machine guns—guns that continue to fire bullets repeatedly as long as the trigger is held down—has required a difficult-to-obtain federal license. The NRA did not oppose the restrictive machine gun law when it was enacted, and has never indicated any desire to repeal the law.

While machine guns do have a unique capacity for rapid fire, what we know as assault weapons do not. Although most of the public believes that assault weapons are machine guns, the guns in question simply look like military weapons. Appearances notwithstand-

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UPI/Bettmann

The waiting period promoted by Sarah Brady would not have stopped John Hinckley from shooting her husband Jim.

ing, the guns fire just as every other common American gun does: squeezing the trigger fires one, and only one, bullet. According to Martin Fackler, former director of the Letterman Army Institute of Research, assault weapons are actually less lethal than many firearms commonly associated with hunting, such as an old-fashioned 12-gauge Winchester shotgun. The Bureau of Alcohol, Tobacco, and Firearms states that no guns available for sale to the public can be easily converted to fire automatically.

Hard to Convert

The fact that semiautomatic assault weapons differ from other guns only cosmetically is one reason why legislative bodies have had so much trouble defining them. Since the guns do not fire faster than other guns, legislative definitions sometimes focus on extraneous features, such as the presence of a bayonet lug—as if we were suffering from a rash of criminals bayonetting people.

Other definitions are merely a list of particular guns with a military appearance. Among the guns targeted by assault-weapons legislation are the M1 Carbine; the AKS Rifle; the Uzi Pistol and Carbine, the Colt AR-15 H-Bar Rifle; the Springfield Armory 4800 Rifle; the M10 Pistol and Carbine; and the AK-56 rifle. Yet some of these guns are in no way distinguishable from many other guns not on the lists, such as the popular hunting rifles made by Winchester, Remington, and Ruger. As former Attorney General Richard Thornburgh noted, the main characteristic of an assault weapon seems to be that it has a black plastic stock rather than a brown wooden stock.

In practical terms, the legislative definition of assault weapon amounts to "the largest number of guns that a given legislature can be convinced to ban." The New Jersey assault-weapon prohibition even outlaws BB guns.

While assault weapons have been claimed to be the "weapon of choice" of criminals, such guns constitute a very small number of the crime guns seized by the police. The Florida Assault Weapons Commission's 1990 report found that assault weapons were used in 17 of 7,500 gun crimes in the years 1986–1989. The Washington, D.C. director of the police firearms section stated in early 1989 that not one of the more than 3,000 weapons the Washington police confiscated in 1988 was a semiautomatic assault rifle.

While some gun-prohibition advocates have claimed that a record number of police are being murdered by assault weapons, police-officer deaths in the line of duty are at their lowest level since 1968. The percentage of police homicides perpetrated with assault weapons is about 4 percent, a figure that has stayed constant over the last decade. The FBI's Uniform Crime Reporting Program, which collects extensive data on all murders of police officers, reports no instance of a drug dealer ever killing a police officer with an Uzi.

That assault weapons should appear so rarely as crime guns seized makes sense. Street criminals need concealable weapons, and a Colt or a Kalashnikov rifle is pretty difficult to stick in a pocket. Indeed, rifles of all types constitute a tiny percentage of crime guns. According to the Washington, D.C., Metropolitan Police Department, rifles are used in less than one-tenth of 1 percent of armed robberies in the District. Nationally, only about 4 percent of the weapons used in homicides are rifles.

Occasionally, so-called assault weapons are used in gruesome mass murders. In Stockton, California in January 1991, Patrick Purdy used a Kalashnikov-type semiautomatic rifle to fire 105 shots in about four minutes at a schoolyard full of Cambodian immigrant children. Thirty-five people were wounded, six of whom died. Purdy's rate of fire could have been duplicated by

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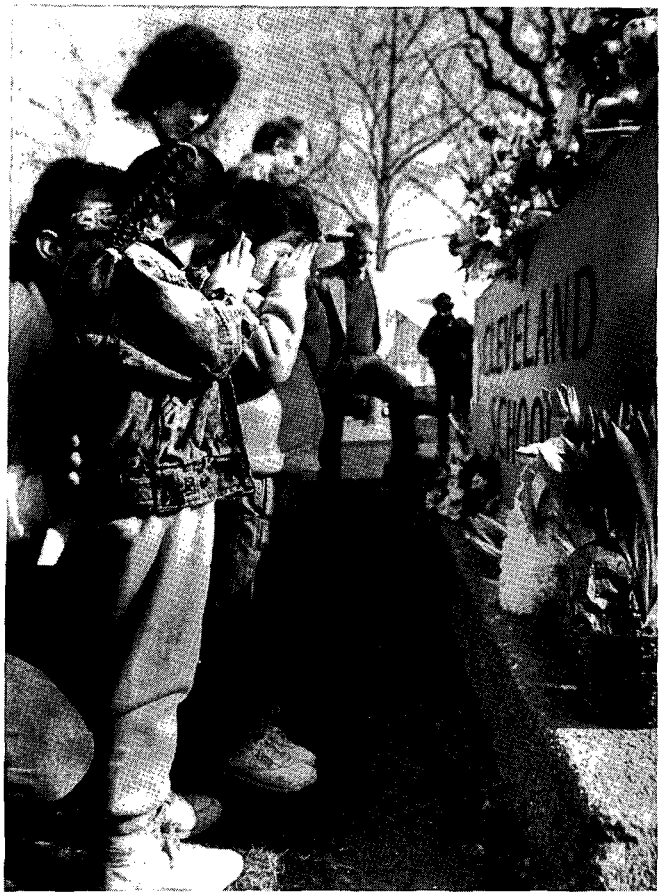

UPI/Bettmann

Children praying for their slain schoolmates in Stockton, California. The media's innaccurate description of the murderer's gun enabled the California authorities to escape censure for having freed this dangerous man.

anyone with an old-fashioned bolt-action rifle or simple revolver, and autopsies of the victims showed that the wounds were approximately equal in severity to wounds associated with a medium-sized handgun, which explains why 29 of the 35 people who were shot survived.

Thus, Purdy could have committed the same crime using many other types of guns. But the national media incorrectly told the American public that Purdy had used an automatic AK-47 rifle, and that such guns could be bought over the counter.

Lost in the media frenzy over Purdy's gun was Purdy himself, who committed suicide with a pistol at the end of his spree. Purdy perpetrated his crime after he had told a state mental-health worker that he though about committing a mass murder with a gun or a bomb, and even though a parole report called him "a danger to himself and others."

Purdy had a lengthy history of crime and arrests, including a robbery in which a 55-year-old woman was seriously injured, receipt of stolen property, criminal conspiracy, possession of illegal weapons, and assault of a police officer, all reduced to misdemeanor charges. His crime career began when he was 14 years old and continued unabated for the next decade, until he killed himself at Stockton. Not one of Purdy's two-dozen encounters with the law ever led to more than a few weeks in prison. The media's hysterical focus on Purdy's gun enabled California's decrepit criminal-justice bureaucracy to escape public censure for allowing Purdy to roam the streets, free to commit his final, horrible crime.

"Cooling Off"

The waiting period, like the assault-weapon ban, becomes considerably less attractive when examined carefully. While the waiting-period initiative is often called the "Brady Bill," it would not have prevented John Hinckley from shooting Ronald Reagan and Jim Brady. When Hinckley bought two handguns in October 1980, he had no felony record, and no public record of mental illness. The simple police and mental health records check proposed by the Brady Bill would not have turned up anything on him. And since Hinckley bought the guns more than five months in advance, a one-week wait would not have made any difference to him.

Indeed, a "cooling-off" period for handgun purchases requires a number of unlikely assumptions in order to work. First, the potential murderer—denied a handgun immediately—must then decide not to buy a rifle or a shotgun, which the Brady Bill would allow him to do. Then, he must not know how to buy a handgun on the black market, or how to obtain one from friends, relatives, or acquaintances. In addition, the type of murder he intends must not be one for which readily available alternative weapons, such as knives, automobiles, or bare hands will work. Finally, the person who was literally ready to commit a murder on day one of the waiting period must calm down by day seven, and stay calm from that day forward.

This scenario, while implausible, is not impossible; it is at least theoretically imaginable that a waiting period could "save at least one life." But a waiting period can cost lives, too.

"I'll Be Dead by Then"

Even a short waiting period will inevitably prevent people from protecting themselves against criminal attack during the wait. When Los Angeles citizens went to gun stores to buy firearms to protect life and property during the recent riots, they were told to come back 15 days later, to comply with California's waiting period on all guns.

After Hurricane Andrew, Florida's looters did considerably less damage than their California counterparts, in part because Florida has only a three-day handgun waiting period, and no wait at all on long guns.

Nor are waiting period victimizations confined only to periods of civil disorder. In September 1990, a mail carrier named Catherine Latta of Charlotte, North Carolina, went to the police to obtain permission to buy a handgun. Her ex-boyfriend had previously robbed her, assaulted her several times, and raped her. The clerk at the sheriff's office informed her the gun permit would take two to four weeks. "I told her I'd be dead by then," Latta later recalled. That afternoon, she bought an illegal $20 semiautomatic pistol on the street. Five hours later, her ex-boyfriend attacked her outside her house, and she shot him dead. The county prosecutor decided not

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to prosecute Latta for either the self-defense homicide or the illegal gun.

A Wisconsin woman, Bonnie Elmasri, was not so lucky. On March 5, 1991 she called a firearms instructor, worried that her husband—who was subject to a restraining order to stay away from her—had been threatening her and her children. When she asked the instructor about getting a handgun, the instructor explained that Wisconsin has a 48-hour waiting period. Elmasri and her two children were murdered by her husband 24 hours later.

Waiting periods that appear reasonable in a legislative chamber may become unreasonable through administrative abuse. Although New Jersey law requires that the authorities act on gun license applications within 30 days, delays of 90 days are routine; some applications are delayed for years for no valid reason. In Maryland, where an appeals process exists, the police are overruled on 78 percent of the denials that are appealed.

Instant Records Check

If it is determined that the way to keep criminals from getting guns is to impose background checks on retail handgun sales—a questionable determination—a mandatory instant records check makes sense. The same technology that allows a store to receive verification of credit card validity within a few minutes can also allow firearms dealers to dial a state government registry and verify that a gun buyer has no felony record.

Polling data suggests that most Americans prefer the instant check to the waiting period, particularly when presented with the choice of mandatory immediate check (the NRA proposal) versus a waiting period with no requirement than any check be conducted (the Brady Bill). In recent years, many states have made major progress in bringing their criminal-records histories online. Thus, an instant check should become feasible in the near future.

And if records are not sufficiently accurate to support an instant check, they are also not sufficient to support a check with a one-week wait. Former Attorney General Thornburgh's task force found that even if there were no improvement in state criminal records, an instant check would be just as accurate as a check that could be completed in one week.

Unfortunately, if adequate safeguards are not in place, the instant check, like the waiting period, can be misused by police departments to create a registry of gun owners. In 1991, California admitted that it had used the state's handgun waiting period to create a list of handgun owners, even though nothing in California law authorizes the compilation of such a list.

Although the federal gun-control debate talks almost exclusively about retail handgun sales and the Brady Bill, the most effective method to deal with criminals obtaining guns might be to focus on the major source of criminal guns: the black market. A sensible first step in dealing with the black market would be to increase penalties for fencing a gun known to be stolen. In some states, theft and sale of a $75 gun amounts only to petty larceny. Selling a "hot" $75 pistol ought to be a more serious offense than selling a "hot" $75 toaster-oven.

NRA's Reform Proposal

While Congress has spent most of its gun-control effort debating new restrictions on gun acquisition, the discussion in many state legislatures has shifted to the carrying of firearms. The Second Amendment refers to a right "to keep and bear arms," and if the text is read consistently with original intent and judicial interpretations of the following century, the government cannot require that citizens ask for permission to carry an unconcealed gun in public.

But in many states, the right to carry has been obliterated by laws that require a police license to carry, and by police administrators who give out carry licenses only to the political elite. In New York City, crime victims who will testify at a forthcoming trial, and who are receiving death threats from the criminal's friends, are denied carry permits—while politically powerful citizens are routinely granted them. While New York's abuse of licensing discretion is notorious, the licensing systems in many other cities are also skewed against people without some kind of clout.

Based on a literalist reading of the Constitution, Second-Amendment advocates should lobby for repeal of all laws requiring a license to carry a gun. But instead, the NRA suggests only reform of easily abused gun licensing systems.

The NRA proposal requires that applicants for a permit to carry a protective firearm must undergo safety training and must submit to a police background check. Then, if the applicant passes the safety class and background check, he or she is to be granted a license to carry. The bureaucratic discretion to deny permits to qualified citizens simply because the bureaucrat does not like guns would be removed.

Every 48 seconds, an American uses a handgun for defense against an attacker.

Progress in the Gunshine State

Carry reform was first enacted in Florida in 1987, amidst vociferous cries from gun-control supporters in the legislature that blood would run in the streets as Floridians shot each other while jostling in line at fast-food restaurants. Florida would become the "Gunshine State," it was warned.

Today, those same critics have admitted that they were wrong, and that they regret the harm done to Florida's reputation by the histrionic campaign against carry reform. Indeed, while the murder rate has risen 14 percent nationally from 1986 to 1991, it has fallen 20 percent in Florida. The state's total murder rate was 36 percent higher than the U.S. murder rate in 1986, and is now 4 percent below the national average. In the same

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AP/Wide World Photos

Bans on semi-automatic "assault weapons" are based on the misconception that they fire rapidly like machine guns. They actually fire like every other common gun—one bullet per squeeze of the trigger.

period, robbery rose 9 percent in Florida, and 21 percent nationally.

There has been no research proving that Florida's carry reform was part of the reason for Florida's relative improvement in recent years. But the experience of Florida, and of other carry reform states such as Oregon, Montana, Mississippi, and Pennsylvania, demonstrates that people who are already good citizens and who are willing to pass through a licensing process do not suddenly turn into murderous psychopaths when granted a permit to carry a firearm for protection.

Interrupting a Mass Murder

While tragic mass murders are frequently used by the pro-control lobby to push restrictive laws, evidence suggests that laws prohibiting firearms carrying may be costing innocent lives.

In October 1991 in Killeen, Texas, a psychopath named George Hennard rammed his pickup truck through the plate glass window of a Luby's cafeteria. Using a pair of ordinary pistols, he murdered 23 people in 10 minutes, stopping only when the police arrived.

Dr. Suzanna Gratia, a cafeteria patron, had a gun in her car, but, in conformity to Texas law, she did not carry the gun; Texas, despite its Wild-West image, has the most severe law in the country against carrying firearms. Carry-reform legislation had almost passed the state legislature, but had been stopped in House Rules Committee by the gun-control lobby.

Gratia later testified that if she had been carrying her gun, she could have shot at Hennard: "I know what a lot of people think, they think, 'Oh, my God, then you would have had a gunfight and then more people would have been killed.' Unhunh, no. I was down on the floor; this guy is standing up; everybody else is down on the floor. I had a perfect shot at him. It would have been clear. I had a place to prop my hand. The guy was not even aware of what we were doing. I'm not saying that I could have saved anybody in there, but I would have had a chance." Hennard reloaded five times, and had to throw away one pistol because it jammed, so there was plenty of opportunity for someone to fire at him.

Even if Gratia hadn't killed or wounded Hennard, he would have had to dodge hostile gunfire, and wouldn't have been able methodically to finish off his victims as they lay wounded on the floor. The hypothetical risks of a stray bullet from Gratia would have been rather small compared with the actual risks of Hennard not facing any resistance. But because of the Texas law, Gratia had left her gun in the car and couldn't take a shot at Hennard. Instead, she watched him murder both her parents.

Two months later, a pair of criminals with stolen pistols herded 20 customers and employees into the walk-in refrigerator of a Shoney's restaurant in Anniston, Alabama. Hiding under a table in the restaurant was Thomas Glenn Terry, armed with the .45 semiautomatic pistol he carried legally under Alabama law. One of the robbers discovered Terry, but Terry killed him with five shots in the chest. The second robber, who had been holding the manager hostage, shot at Terry and grazed him. Terry returned fire, and mortally wounded the robber.

Twenty-three people died in Killeen, where carrying a gun for self-defense was illegal. Twenty lives were saved, and only the two criminals died in Anniston, where self-defense permits are legal. Yet while Anniston never made the network news, Killeen did, and is used to this day as supposed proof of the need for severe gun controls. Precisely because lives are saved, instances of citizens using firearms carried on their persons to defend themselves and others rarely make the national news, even though such defensive acts occur with great frequency, as the research of Professors Kleck and Mauser demonstrates.

Emphasis on Gun Safety

Gun control, properly conceived, is not simply a matter of passing laws, or adding to the paperwork involved in retail gun purchases. Gun control needs to involve people control, or more precisely, helping people take control of their own actions. In this regard, the NRA's gun safety programs rank as America's most successful gun-control efforts.

The National Rifle Association was founded in 1871 by Union Army generals dismayed at the poor marksmanship displayed by Union forces during the recent war. The NRA always has placed heavy emphasis on its mission to train American citizens in responsible and effective firearms handling.

Happily, the fatal gun accident rate is now at an all-time low. In 1945, for every million Americans, there were about 350,000 firearms and 18 fatal gun accidents. Today, the per-million rate is 850,000 and 6 accidents. As the gun supply per capita more than doubled, fatal accidents fell by two-thirds.

NRA safety programs implemented by the 32,000

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instructors and coaches who have earned NRA Instructor certification have played an important role in the accident drop, and will become even more important in coming years as more and more women choose to own handguns. Since women gun owners are more likely to own for protection, and less likely to have been initiated in sport shooting by an older male relative, safety training for these new gun owners is especially worthwhile, and the NRA has, accordingly, set up a program offering free safety training to women.

The number of fatal firearm accidents for children aged 0–14 has fallen from 550 in 1975 to 250 in 1988. While the NRA always has had junior shooting and hunting programs that emphasize the development of safe sporting gun use under adult supervision, in 1988 the organization launched a safety campaign aimed at the millions of children who never have any exposure to the shooting sports.

The NRA's Eddie Eagle Elementary Gun Safety Education Program is geared for children in pre-school through sixth grade. Using teacher-tested materials such as an animated video, cartoon workbooks, role-playing, and fun safety activities, Eddie Eagle teaches the simple lesson: "If you see a gun: Stop! Don't Touch. Leave the Area. Tell an Adult."

To date, the Eddie Eagle program has reached almost 4 million children and their parents through schools, law-enforcement programs, and a variety of youth programs. Unfortunately, it has been excluded from some urban schools by administrators who refuse to allow pupils to contact anything related to the NRA, even though the Eddie Eagle curriculum does not discuss political issues.

Controlling Criminals, Not Guns

The NRA's most controversial recent effort is the organization's CrimeStrike program, which takes aim at aspects of the criminal justice system that the NRA considers too lenient. In pushing for laws allowing greater pretrial detention of violent repeat offenders, the NRA adheres to its conservative roots, to the chagrin of some its libertarian supporters, who are unwilling to protect the Second Amendment by weakening the Eighth Amendment right to bail.

Other aspects of CrimeStrike, such as support for victims' rights laws, cause no dissent within the pro-Second Amendment coalition, and offer an opportunity to improve a criminal justice bureaucracy that sometimes lets the desire to process cases overshadow the necessity to do justice to the criminal *and* the victim.

NRA CrimeStrike strategies, like NRA lobbying, rely heavily on grassroots pressure. In a recent Texas case, Charles Edward Bruton had been sentenced to two 10-year terms for shooting at a woman and for committing a heinous sexual assault against her 11-year old daughter.

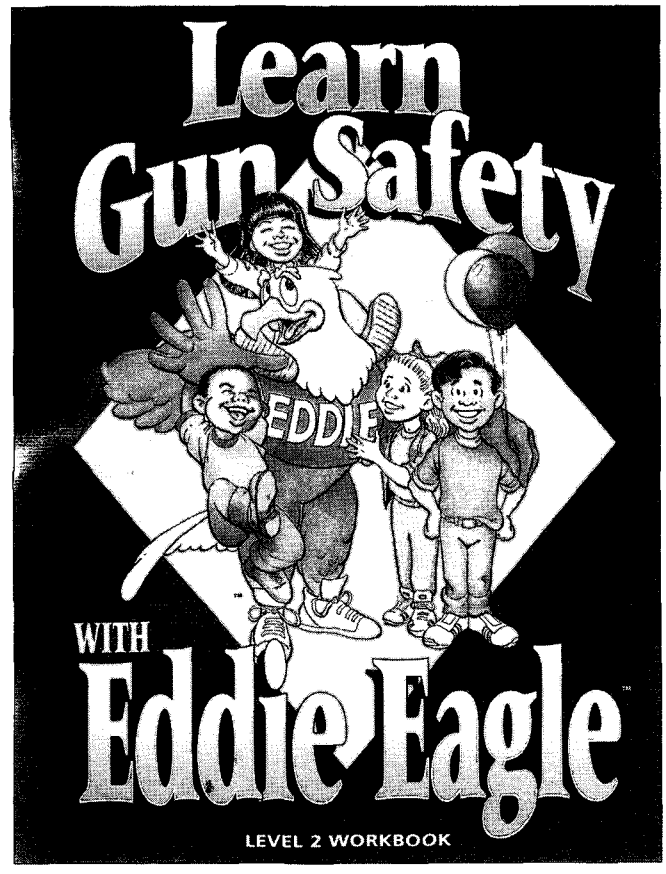

photo courtesy of the National Rifle Association

Thanks to such gun-safety programs as the NRA's Eddie Eagle, fatal firearm accidents among children 14 and under have fallen from 550 in 1975 to 250 in 1988.

Having served only three years, Bruton was up for parole last September. After the shooting victim asked CrimeStrike for assistance, NRA members were notified through NRA magazines destined for Texas; the Texas Board of Pardons and Appeals was flooded with calls and letters; the parole was denied.

CrimeStrike will not single-handedly fix the criminal justice system, nor will safety education eliminate all accidents, nor will carry reform wipe out all street crime. But each of these efforts will improve public safety for all citizens, whether they own guns or not. Everyone benefits from a prison system that keeps violent felons off the streets; everyone benefits from reduced risks of gun accidents; and everyone benefits from street criminals facing increased odds of victims resisting successfully.

Today, rather than merely opposing poorly conceived gun-control legislation, right-to-keep-and-bear-arms supporters are working in positive ways. These efforts will enhance not only the rights of the 50 percent of American families who own guns, but also the safety of the 50 percent who do not.

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Land of the Free

An Environmental Strategy for Republicans

John Miller

Americans concerned about the environment voted overwhelmingly for Bill Clinton over George Bush, in spite of the Arkansas governor's abysmal record in failing to clean up the polluted waters of his own state. The size of the margin, which was reflected in many congressional and state and local races as well, suggests that Republicans have to reconsider the way they think and talk about environmental issues.

From the turn of the century until the 1960s, most environmentalists (or conservationists, as they were then called) were Republicans. But increasingly, and particularly in the Reagan–Bush years, environmental voters drifted left as Republicans produced two responses to environmental problems. The first was denial. Whenever environmental issues were considered on the floor of the House of Representatives, conversations with my colleagues in the Republican cloakroom turned to claims that the problem did not exist, was greatly exaggerated, or did not matter because of our abundant resources. This position was not always incorrect, but it sometimes did not jibe with voters' everyday perceptions. For example, the dangers of air pollution produced by a factory may be exaggerated, but if you live next to that factory or see smoke billowing from its smokestack, you believe—and rightly so—that a deteriorating environment should be a major concern of your elected representative.

After being slow to acknowledge real environmental challenges, the Republicans second response was to "me too" the Democrats. During the campaign, Bush boasted of the tougher air pollution regulations imposed by and the funding increases proposed for the Environmental Protection Agency (EPA). There are two problems with this response: rarely is regulation and spending a complete answer to any challenge, whether economic, social or environmental; and, whenever the debate is framed in terms of which party can spend or regulate the most, the Democrats will always win.

No Wisdom with This Owl

Bush's approach to the environment was nowhere more self-defeating than in the endangered species controversy involving the spotted owl in my own state of Washington. First the administration claimed the threat to the spotted owl—and to old-growth forests—was exaggerated. Then the administration claimed that it would preserve the spotted owl with a new set of regulations that did not go quite as far as the proposals from environmental groups. Finally, with the campaign in full swing, Bush made his one and only visit to Washington state, to the timber town of Colville, where he pledged to protect timber jobs and lashed out at environmentalists.

This was a carefully calculated "ring-around-Seattle" strategy devised by his handlers—create a jobs versus the environment campaign that might not win Seattle but would prevail everywhere else. The result was a "ring around Colville" with Bush barely prevailing in Colville (approximately 13,000 voters) but losing the Republican suburbs around Seattle (with hundreds of thousands of voters).

The president's strategy was copied by other Washington state Republican candidates, most notably Ann Anderson, who ran a well-financed campaign for the important state office of Public Lands Commissioner. Anderson's TV commercials attacked her previously unknown opponent as an "outright environmentalist." Since Washington state is no different from the rest of the nation, where a majority of voters consider themselves environmentalists, this position quickly turned her opponent into a landslide winner.

President Bush's strategy was misguided, both politically and environmentally, and it was a major reason Republicans did so poorly in Washington state. He did not have to choose between jobs and the environment. Instead, a conservative approach would have allowed him to promote both.

The voters' rejection of Bush as an environmentalist does not mean that they embrace the Clinton–Gore prescription of spending and regulation as the solution to environmental problems. Indeed, in my district, where the environmental ethos runs strong, there is also a

John Miller *recently retired from the U.S. Congress after eight years representing the 1st district of Washington. He now is a senior fellow at the Seattle-based Discovery Institute.*

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strong fiscal conservatism. The voters sense that government intervention in the environment has produced limited progress along with unlimited controversy and lawsuits. But spend-and-regulate policies are the only ones they have seen. No one has shown them an alternative approach more consistent with their values and common sense.

Learning from Jack Kemp

It is time for Republicans to develop a new vision for the environment, as Jack Kemp has done for poverty. It is time to admit that problems exist, but that the government-inspired approaches of the past are not necessarily the best solutions for the present. It is time to develop a positive agenda based on conservative principles, which stress individual initiative and free markets.

What is the government's proper role in this effort? Beyond being an umpire and rule-maker, it is to avoid subsidies, regulations, and laws that harm the environment. It is to manage the National Parks, and some federal lands. And it is to set limits on pollution, recognizing that conservative values provide the best means to achieve these goals. Put positively, it is to empower individuals to preserve, enhance, and enjoy the environment.

This requires assessing individual responsibility for environmental destruction and, where possible, creating individual incentives for environmental improvements.

In deciding what government should do to protect the environment, we can learn from what government is already doing. So much of it is wrong—wrong because the incentives of current environmental policy frequently discourage the individual behavior it is intended to promote.

Endangering the Nature-Lover

Nowhere have government regulatory policies produced unintended effects more than in the endangered species law. First, the fear of government controls to protect a species leads property owners who want to protect and nurture the species to quickly abandon any good efforts.

Take the case of Dayton Hyde, who managed his family's ranch in Oregon. He converted 25 percent of his land into wetlands, simply because he loved wildlife. He built a lake from snow-water runoff that soon became a nesting site for endangered bald eagles. According to Hyde, "We are able to challenge the agencies to show any land they manage that is better for fish and wildlife than our private land."

There was only one problem. On learning of the eagles, the U.S. Forest Service closed a road that Hyde used to maintain the fence that surrounds the property. The Forest Service feared the presence of his truck would disturb the birds. Hyde was being regulated for wetlands which did not exist until he created them, and for the bald eagles which were attracted to the habitat he built.

Because of this experience, Hyde claims it is increasingly difficult to persuade others to create habitat. Private landholders frequently want to improve the land to attract animals. But they soon find that the more wildlife they attract, the more they are subject to regulations,

Folio Photos

Current law penalizes landowners who create habitat for disappearing species. A better approach is to reward landowners for attracting species, as Defenders of Wildlife does for wolves.

which often turn the presence of wildlife into a liability.

Hyde's case is not unique. Tom Bourland, a forestry and wildlife consultant in Louisiana, manages a small parcel of land that contains endangered red-cockaded woodpeckers. The habitat is isolated, surrounded largely by farmland. The parcel supports a colony that consists of only male birds, thereby precluding breeding, but there is no provision in the law to move them expeditiously to a location where red-cockaded females are present. Such an action would be considered an "illegal taking" according to the Endangered Species Act. And, since the habitat is surrounded by farmland, it is unlikely that any female woodpeckers will reach the colony.

The law does provide for an exemption, whereby a property owner can apply for an "incidental taking permit." Such a permit can be awarded after a full appraisal and conservation plan is prepared. While this approach sounds reasonable, it is not practical. Most of the commercial forest acreage in Louisiana is privately owned, and the average parcel is 141 acres. The cost to obtain a permit for most small landowners is prohibitive. Furthermore, the process takes between two and three years to complete; by that time, Tom Bourland's woodpeckers will no longer exist.

Hyde's and Bourland's cases are just two examples; there are thousands of others. In Florida, the scrub jay

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is a threatened bird species. When citrus groves died after a freeze, owners tried to keep the scrub that the scrub jay thrives on from sprouting, even though this vegetation would improve their soil. They rightly feared that to do otherwise would lead to government controls imperiling future citrus tree planting.

Sometimes endangered species regulation not only discourages initiative to help save a species, but actually leads citizens to destroy one. In Washington state, tree farmers live in fear that a spotted owl will nest on their property. If so, even the thinning of trees is forbidden.

Of course, no one admits to the dirty deed, but self-interest dictates that if a tree farmer finds a spotted owl, he makes sure it doesn't live long enough for a government inspector to find it. Taverns in spotted owl country are adorned with "If it's a hootin, I'm a shootin" signs.

Perversity on Public Lands

Similarly perverse incentives are common on federally owned lands. Sterling Carter is a public-land rancher in New Mexico who received his land "allotment" from the U.S. Forest Service in the early 1980s. Since water was scarce, he invested significant capital in building dams.

National parks will not be privatized in the foreseeable future. Any attempt to do so would be met with overwhelming opposition, including mine.

Although the dams improved the lands, they also attracted wildlife. This led the Forest Service to reduce the number of cattle that Carter could graze, since the Forest Service viewed the cattle as being competition with the wildlife for scarce grass.

Bard Heaton manages both private and public lands in southern Utah. After years of successful ranching, he decided to invest almost his entire net worth into improving the vegetation on his private land. Diversity now thrives where only sage and juniper once dominated; gullies that once scarred the landscape have been healed, and the number of deer and elk have increased dramatically.

In the mid-1970s, Heaton offered to invest several hundred thousand dollars on the adjacent public land to enhance its biological diversity. Although the Bureau of Land Management (BLM) acknowledged his superior management skills, they denied his request. While the policy has subsequently been changed, the BLM was concerned that "a permittee who expends his own money to improve the range...will feel that the government is under some moral or equitable obligation to renew the permit or accord him a preference right of one kind or another."

Ironically, the BLM showed no hesitation in subsidizing ranchers in the Rio Puerco district of New Mexico who had continuously overgrazed the land and had failed to invest personally in the land's management and improvement.

Depletion of Fisheries

A further perversity of current environmental policy is that people can buy the right to cut timber or graze livestock on public property, but they cannot buy the right to protect trees from being cut or to graze wildlife. In Wisconsin, environmentalists tried without success to bid for grazing permits to reintroduce elk to the state. In Wyoming, Stephen Gordon sent the Forest Service a check to obtain the right to leave trees standing in the Shoshone National Forest. It returned his check.

In Montana, trout fishermen have unsuccessfully sought to purchase water rights from farmers to augment the water in the Ruby River, and thereby protect the trout runs. According to Montana State University professor Terry Anderson, hundreds of trout died when the river was reduced by low snow pack, lack of rain, and heavy irrigation demand, while water that had been diverted lay six inches deep on adjoining fields. Under combined state and federal water laws, however, water diverted from streams must be used for irrigation. It may not be used for a trout run—even if people are willing to pay for it.

The federal government also harms the environment by selling resources below their market cost. Most bids accepted for private timber-cutting on public land do not cover the cost of growing the trees and administering the sale. According to Robert Wolf, former Congressional Research Service (CRS) analyst, only 15 of 156 national forests operate in the black. Below-cost timber sales (representing billions of dollars over the past decade) have resulted in more logging of old growth and the lowering of prices in the competing private timber market. The result is that private tree farmers grow less—not more—timber and the pressure on federal old growth rises.

The situation is even worse in government-controlled ocean zones, where precious fisheries are being depleted by the total absence of marketplace principles. A number of federal agencies have sought to protect fisheries through tougher regulations on fishing gear and fishing seasons, while charging relatively small amounts for the actual fishing rights. This has led to more vessels, more safety risks, and less fish. Shortages loom for every ocean fishing zone and practically every species. The salmon, cod, halibut, and other species of fish within the 200 mile limit are considered national resources. What has been proven in our fisheries is that when everyone owns a resource, no one cares about its preservation.

The absence of conservative principles in the fight to conserve resources extends to pollution. The guiding principle here seems to be "punish the innocent along with the guilty." Wherever possible the government tries to inconvenience or penalize everyone to get at the 10

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Don Leal

Hundreds of trout died when fishermen were prevented from buying water rights to replenish Montana's Ruby River.

percent who are the real offenders.

Look at how the federal government attacks a major cause of air pollution—automobile emissions. The EPA pursues mandatory controls on all new cars, mandatory testing centers for most existing cars, and restrictions on business driving. The controls increase the price of cars for everyone. The most recent round of new tests and restrictions, which inconvenience everyone and create more bureaucracy, have been only marginally successful.

With other forms of pollution, the details are different but the approach is the same. The notion of individual responsibility, so often rejected in our criminal justice system, has been rejected by our environmental justice system as well.

Some Conservative Solutions

In contrast to these perversities in current law, a conservative environmental policy would be based on the following principles:

Where possible, shift from negative to positive incentives. A good start would be to drop the penalties on property owners who nurture or breed endangered species. Make it easier, not harder, for the Dayton Hydes and Tom Bourlands to create habitat. Follow that up by creating positive incentives for thousands of property owners to follow Bourland's and Hyde's example.

The Defenders of Wildlife organization has established a fund which awards $5,000 to a landowner in the Northern Rockies who breeds wolves on his private property and successfully raises the pups to adulthood. The North American Elk Foundation, Trout Unlimited, and Ducks Unlimited regularly buy easements on private lands and waters where disturbances are harmful.

These policies should be encouraged and emulated. Government could pay landowners if an endangered species successfully lives or breeds on their land. Expensive? Sure. But it will be much less expensive than relying on the present approach of often self-defeating controls. At $5,000 an owl, you could sustain and increase the present spotted owl population of approximately 3,500 pairs at a cost of millions. Compare that with the Department of the Interior's $10- to $20-billion estimate of the cost to the economy from maintaining the present spotted owl population through present policies.

Move to privatization where possible. No, national parks will not be privatized in the foreseeable future. Any attempt to do so would be met with overwhelming opposition, including mine. And, given the bureaucratic and political hurdles even the U.S. Forest Service and Bureau of Land Management will be left standing. But there's still plenty that can and should be done.

Private groups and companies can manage sensitive multiple-use lands as well as or better than the federal government. Before environmental groups dismiss this option out of hand, they should remember that the Audubon Society, in one of its least-publicized environmental initiatives, manages natural gas wells in Louisiana. The gas comes out—and few complain about

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environmental degradation. The Hawk Mountain Sanctuary Association manages lands in eastern Pennsylvania to preserve birds of prey and finances operations through dues and visitor admissions. In the north Maine woods, private companies have managed vast private timber holdings for multiple use, extracting timber while allowing restricted access to the public for recreation. While trail bikes, motorcycles and all-terrain vehicles are banned, hiking and camping flourish, with fees from these pastimes helping offset the cost of operations.

Governing fisheries councils are experimenting with privatization of fisheries resources. Let the government determine how many fish can be caught without depleting the stock, then divide up the total into individual tradeable quotas (ITQs) that can be bought and sold. Let's forget some of the regulations on seasons and gear. By keeping it simple and marketable, the industry will be safer, more productive and more conservation-conscious. Many fishermen are clamoring for privatization; the question is whether the bureaucrats in the federal government will allow it.

Republicans have had two responses to environmental problems. Deny they exist. And "me-too" the Democrats.

Let the marketplace work. Unlike government fiat, the marketplace can provide considerable diversity. It can also reduce the cost of environmental amenities.

We should start by phasing out the selling of any federal resource below cost, whether timber or grazing rights. These practices have led to serious environmental abuses. And let's stop the system whereby only certain uses of resources are recognized under the law. Conservation should be treated as a legitimate use of public resources. If environmental groups want to join others and bid for the use of federal water or land, let them. Let the Wisconsin environmentalists bid for permits to graze and enhance the elk herds. Let the Montana fishermen purchase water to save the Ruby River trout. Let Stephen Gordon purchase the rights to leave trees standing in the national forest. Encourage others to follow their examples. Inefficient businesses may suffer, but resources will flow to their most productive use, taxpayers and the environment will benefit.

Fix financial responsibility for environmental harm. Wherever possible, make the polluter pay. We are the world's most technologically advanced country. Let's put that technology to work.

Ten percent of the cars cause most of the pollution. Technology should come to the rescue, but doesn't. Mobile infrared sensors can measure carbon monoxide, carbon dioxide, and hydrocarbon emissions. An attached camera can photograph offending license plates. This invention by University of Denver chemist Donald Stedman, which targets the real offenders, is shunned by the EPA in favor of going after everyone. EPA's broad testing requirements will cost $17 per car; Stedman's technology costs 50 cents per car. So far, despite a crusade by Congressman Joe Barton of Texas, the EPA continues with the old system—it makes the government bureaucrats feel more comfortable. "Make the polluter pay" used to be a principle espoused by environmental groups. It has been replaced by "make everyone pay."

The benefits of technology can also be applied to pollution from factories. NASA, for example, is working on a demonstration project to police the oceans against pirate drift-netters and trawlers. Satellites will monitor and identify the condensation of water vapor on sulfur particles in diesel-engine exhaust (which is unique for each vessel). If successful, this technology could be used to identify and track pollution from smokestacks. Injured individuals would then have standing in court to sue the polluters responsible.

Politically Attractive

The ideas I am suggesting have been developed over the past decade by conservative environmentalists at the Political Economy Research Center, the Competitive Enterprise Institute, and other organizations, and by such individuals as Karl Hess Jr., John Baden, and R. J. Smith. These views have rarely been heard on the floor of Congress or in Republican administrations, but I am convinced that this approach would be politically attractive in the state of Washington and probably in many other states as well.

This approach represents a first step toward a conservative response to the increased regulation and spending that the Democratic administration will propose as its environmental agenda. It is not intended as a comprehensive solution, nor am I suggesting that all previous solutions be repealed. Hopefully, this will stimulate the reader to think of other examples of federal ineptitude or positive changes. If conservatives address environmental challenges with common sense solutions rooted in American values, we can not only enhance the environment but rebuild the electoral link between conservatism and conservationism. The Republican Party's chances in 1994, 1996, and beyond require a new conservative environmental agenda. ☎

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This Land Is Our Land

And We'll Protect It Better Than Government Will

Ann Corcoran

All my life I have wanted to be a farmer. I studied at Rutgers Agricultural College and Yale Forestry School, hoping for a career that would allow me to work outdoors. After college I thought I had found my vocation in the conservation movement. I went to work first for the Nature Conservancy, and then for four years as a lobbyist for the National Audubon Society in its Washington, D.C. office.

Finally, in 1985, my husband and I bought a 160-acre farm in Sharpsburg, Maryland, near the Antietam Battlefield National Park. The house was dilapidated and the fields overgrown, but we loved the location and its historical significance. It took us two years to put the farm in working order, but eventually we planted hay and wheat and began to raise cattle.

Soon after we had fixed up our homestead, we learned that the National Park Service planned to extend the boundaries of the Antietam Battlefield National Park to include several hundred new acres; our farm was a likely candidate for inclusion within the proposed new boundaries. The Park Service often justifies such expansions on the grounds that they are necessary to protect an area from commercial development, but we knew of no such threat in our area.

Second Battle of Antietam

Over the next few months we learned the details of the plan. The Park Service, without alerting the local population, had asked the Conservation Fund, a spinoff of the Nature Conservancy—the environmental group I once worked for—to buy up farms around Antietam. The Conservation Fund intended to hold the farms briefly and then turn them over to the government. In return, the Conservation Fund would realize a handsome tax break. The targeted farms were to form the new boundaries of the park.

My husband and I were horrified. We didn't want to see the battlefield ringed with shopping malls any more than the Park Service did. But we knew several families who lived within the boundaries of the park, and we were familiar with the restrictions they had to contend with. Once their land was within the park, they fell under the jurisdiction of federal as well as local authorities in zoning matters; these families then lived in constant fear that the federal government might condemn their land. In the words of one "inholder" (a person whose property lies within a park), "once you come under the Park Service [jurisdiction] you don't have a local government anymore when it comes to land rights." Inholders can be forbidden to engage in certain types of agriculture, like commercial chicken and hog farming. Changes to their property—from painting the house to adding a garage—require written permission from the Park Service. Failure to get permission means risking eviction from their land. We were frightened of becoming inholders. And the most frightening part of all was that we had no influence in the matter.

As news of the Park Service's plans for our county spread, other landowners became upset by the idea of becoming incorporated into the park. Our community discovered that there was no truth to the Park Service's claim that commercial development was imminent. Scores of farmers drove their tractors onto the battlefield in protest. We organized rallies and town meetings. The efforts of the landowners in my county finally caused the National Park Service to slow its plans to expand the battlefield, although not before my husband and I felt forced to buy an adjoining farm—150 acres of land we didn't need—to prevent the Park Service from enclosing us within the new boundaries.

New Grass-Roots Movement

At the height of the battle with the Park Service, the *Washington Post* ran a story on the landowners' opposition to the scheme. To my surprise, I began to receive phone calls from people around the country who'd had similar problems with the National Park Service and other federal agencies. Their response inspired me to find out more about private-property-rights organizations, and ultimately to start the *Land Rights Letter*, a newsletter intended to bring citizens concerned with threats to private property into contact with one another.

I learned that there was a new grass-roots movement

Ann Corcoran, *a farmer in Sharpsburg, Maryland, is editor of the* Land Rights Letter.

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building in the United States. Thousands of citizens, their most basic civil rights threatened by federal agencies and radical environmentalists, had begun to organize and fight back. The private-property-rights movement consists of ordinary people—farmers, families, retirees—who think that they can take care of their land as well as or better than the government can, and who are not about to let the public authorities confiscate their property.

The Antietam Battlefield area is well-known for its preserved historic structures and immaculate farms. In contrast to other Civil War sites, such as Gettysburg, the area surrounding Antietam looks much as it did when the battle took place in 1862. The land and houses around the battlefield are well kept because most of them are owner-occupied. Perhaps more than any other kind of landowner, farmers have a stake in being careful stewards of their land. A farmer who overburdens his soil or lets his fields erode will soon be out of business. Because most farmers have every penny of their savings—as well as a great deal of borrowed money—invested in their farms, they have good reason to preserve their land for the future.

Conversely, public ownership can leave land and buildings in disrepair. Right down the road from our farm is the Otto House. Built before the Civil War, it was a hospital during the battle of Antietam. In the late 1970s, the Park Service acquired the house, ostensibly to protect it for future generations. Unfortunately the Park Service couldn't afford to maintain the property after buying it. The boarded-up house now sits rotting on a weed-covered lot.

Naughty Children

Most landowners groups are started by ordinary citizens who have learned inadvertently that their right to private property is not as secure as they thought. One such person is Alice Menks. In 1984 Menks and her husband built a house in Graves Mill, Virginia. Several years after moving in, they were told that the Park Service was conducting a "related land study" in their county.

Menks soon discovered that her house was within 521,000 acres designated for use as a national park by an act of Congress in 1926. Although the nearby Shenandoah National Park that was created by the act is only 196,000 acres, the entire tract—which comprises over 40 percent of the county's land—is still authorized for use as a National Park. The National Park Service was encouraging the Conservation Fund to buy property secretly in the county and donate it to the government, thereby increasing the size of the park. Again the Park Service justified this expansion by claiming the area was threatened by unsightly development.

But Menks contends, "In our county, there was no threat from development. None." Moreover, Menks says, the county was not imperiled by environmentally unsafe practices. "Almost everyone I know in my area is a farmer who tries his best to keep his land nice. The farmer across from me won the Chesapeake Bay Award last year for clean water-use practices. Still, the Park Service treated us like naughty children who needed to be kept in line." Angered by the prospect of becoming an inholder

A. Corcoran

Ann Corcoran, formerly a National Audubon Society lobbyist, became an activist for private-property rights when the National Park Service tried to take control of her farm.

against her will, Menks helped found Virginians for Property Rights in 1991. "I was just a housewife, but I knew inholders who had to apply to the government to put up birdhouses and I knew I didn't want that." Virginians for Property Rights is still battling the Park Service over park expansion.

Defying Common Sense

Private landowners are not the only inholders overregulated by federal authorities. Local governments also have their share of horror stories. Following an accident in which a corporate jet collided with a deer on the runway while landing, the Culpeper Regional Airport in Virginia decided to erect a safety fence around the airfield to minimize the risk of more accidents.

Unfortunately, the airport was within a "historic status" zone the size of Manhattan, created in 1990 to protect the nearby Brandy Station Civil War Battlefield. Because of the airport's location, the county was required to obtain permits from the National Park Service and the Interior Department before building the fence. The ensuing bureaucratic tangle delayed the safety fence for almost two years. The episode defies common sense; a safety fence would hardly disturb the Civil War atmosphere more than the airport itself did. Meanwhile, lives of people and animals alike were jeopardized. According to Culpeper County finance director Ron Mabry, "There were several near-misses at the airport while we waited for the bureaucracy."

The General Condemnation Act of 1888 gave federal agencies the authority to take private land for just com-

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A. Corcoran

A. Corcoran

The Corcoran's house, before and after they bought it. Private landowners usually take better care of their land and buildings than do federal agencies.

pensation—an authority they have used to expel tens of thousands of families from their property. Federal, state, and local governments now have the title to more than 40 percent of the land in the United States. Since 1965, the National Park Service alone has spent $3.3 billion to buy private property or to compensate owners for property seizure; another $1.3 billion has been spent by the Forest Service, the Bureau of Land Management, and the Fish and Wildlife Service for the same purposes.

As large as this land acquisition budget is, it does not reflect the huge amount of property the federal government controls at no cost to itself. Federal agencies often are able to annex a piece of private property simply by regulating its use. Citizens who own land within national parks or in areas designated as wetlands, for instance, are not compensated for the excessive restrictions placed on them by federal agencies.

Regulatory Bog

When the Environmental Protection Agency (EPA) broadened its definition of wetlands in 1989 to include land with water 18 inches beneath the soil, countless people found their property subject to new regulations. In Dorchester County, Maryland, two-thirds of the land became "wetlands" overnight. Peggy Reigle and her husband moved to Dorchester County in the mid-1980s to begin an early retirement. They bought a 118-acre farm, with the ultimate intention of dividing the property into large lots for single-family houses to finance their later years. After 1989, the entire farm—all of it dry land—was classified as wetlands.

Citizens who own land within national parks or in areas designated as wetlands are not compensated for the excessive restrictions placed on them by federal agencies.

Reigle realized it was unlikely she and her husband would be able to sell their property while it was classified as wetlands. "The EPA was trying to stop development in my county, to preserve it as a wildlife habitat. But our county is already rural and it isn't facing unbridled development. We have actually lost population over the past 40 years." In 1990, she started the Fairness to Land Owners Committee to assist other landowners whose rights were threatened by regulation. "Farmers and developers were represented by lobbyists. Nobody was representing average people who'd been abused by bureaucrats," she says. Her group now has 11,000 members in 38 states.

Reigle cites the example of Gaston Roberge, a 78-year-old disabled veteran in Scarborough, Maine to illustrate how land-rights groups can help property owners. In the late 1960s, Roberge bought a 2.8-acre lot in Scarborough as an investment for his retirement. In 1976 he allowed the town to dump dirt excavated during the construction of a municipal sewer on his lot. When Roberge tried to sell the lot 10 years later to supplement his retirement, the EPA informed him that, because the dirt had been dumped on his land without a permit, he was required to have the dirt removed before he could sell the property. The cost of the removal was estimated at up to $100,000. The EPA never claimed that the dirt on Roberge's land posed a threat to the environment or to any living creature. The agency's only justification for its decision was that Roberge lacked the proper permit, even though dumping permits were not required in Scarborough when the dirt was placed on his land.

For the past six years, through his third heart attack and his wife's stroke, Roberge has struggled to free his property. When Roberge called the Fairness to Land Owners Committee it found him a consultant and a lawyer willing to take his case pro bono. Roberge recently won his fight with the EPA, a victory that would not have been possible without the help of land-rights groups.

For many people, land represents a type of retirement fund. A couple who sink their savings into a piece of property only to find they cannot build on it effectively have had their savings eliminated, as surely as if the

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The Otto House, a hospital during the battle of Antietam, has been left in disrepair since being acquired by the National Park Service.

government had drained their bank account or emptied their investment portfolio. One of the private-property-rights movement's most important objectives is to force the federal government to compensate landowners for the cost of its own regulations and restrictions.

Lincoln Didn't Sleep Here

The private-property-rights movement recently gained a nationwide organization in the form of the Alliance for America, an umbrella group that supplies information on land-rights issues to thousands of organizations and individuals via fax. The Alliance was founded in 1991 and now has 500 member organizations in 50 states and two countries. David Howard, an architectural designer from northern New York and the Alliance's first president, describes the group's role as educational. Most people in small towns, he says, enjoy the outdoors and want to see the land in their areas protected, but are often unaware of the severe restrictions that can accompany government protection programs. While many private-property-rights groups lobby their representatives in Washington, most activists recognize that educational efforts like these are their most effective means of safeguarding private property.

Americans are more concerned than ever about preserving the natural environment, and about protecting our nation's natural beauty and resources for our descendants. The land-rights movement has these same concerns. Yet it recognizes that government measures to protect land at the expense of private property are counterproductive.

There are farmers in my county, for instance, who know that President Lincoln visited wounded soldiers and reviewed Union troops on their farms during the Civil War. But these farmers are afraid to say so for fear of having their land declared historically significant and seized by the National Park Service.

Unless private property rights become more secure, everyone—landowners and visitors interested in the history of the area alike—will lose. Strong property rights are not only a fundamental American principle, they are our country's most effective way of protecting its natural resources and historical treasures. ☎

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A Bulwark Against Faction

James Madison's Case for Term Limits

Stephen C. Erickson

In 1787 a French diplomat made a remarkable prediction about the American political system. Reporting to his home government, Louis Guillaume Otto pointed to what he believed was a critical flaw in the new American Constitution:

> It is true that the President will be elected for only four years, the Senators for only six, the Representatives for only two, but they will always be *eligible* [Otto's emphasis]; will not elections be for sale...especially when they will be able to command the public treasury at will?

Anti-Federalist opponents of the Constitution had serious doubts about a lack of term limitation, fearing a distant government that would grow independent of its electors and become corrupted by centralized power.

Term limitation also had a backer within the ranks of the Federalists, the "Father of the Constitution" himself, James Madison. Madison's call for legislative term limitation was unique, in that he proposed to use the concept as a means to control special interests. It is his argument that speaks to us most forcefully today.

Rotation of Offices

The notion of restricting re-election is as old as the democracy of ancient Greece, where the practice of legislative term limitation found expression in the writings of Aristotle. The idea was adopted by English republicans, the most influential of whom was James Harrington. Harrington made "rotation of offices" a centerpiece of his model *Commonwealth of Oceana*, a plan Madison probably studied when contemplating the design of an American republic.

Harrington's concept of rotation was passed down to generations of English and American republican thinkers, including the framers of the Articles of Confederation. A number of early American state constitutions also adopted the concept for a range of office holders, from governors to local sheriffs and coroners. Madison's colleague and fellow Virginian George Mason wrote term limitation into the influential Virginia Declaration of Rights, illustrating how re-election restrictions were commonly associated with the most essential constitutional guarantees against tyrannical government. Anti-Federalists believed that legislators inevitably became corrupted when allowed to hold office for long periods of time, and that one way to ensure just laws was to compel legislators to live periodically as ordinary citizens under the laws of their own design.

Equally important, rotation of offices would educate large numbers of citizens in the art of governing through office holding, and thus make it more difficult for government to encroach on their liberties undetected. Many Americans of the founding generation saw rotation of offices through mandatory term limitation as a key to the maintenance of a selfless and politically astute citizenry, qualities known as public virtue, which were necessary if the republic was to survive.

Popular Government's "Mortal Diseases"

Madison agreed that a measure of public virtue was required for the operation of republican government, but was more inclined to believe that man was essentially a self-interested creature and that public virtue alone was not enough to secure the republic. His great concern was that groups of people, or factions as he called them, would come to dominate government at the expense of the common good. Madison's idea of faction is nearly identical to the modern notion of special interest.

In his now-famous Federalist Number 10, Madison defined faction as a group of citizens "adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." He pointed out that factions may derive from different moral and philosophical opinions, but are especially potent and determined when motivated by economic interests. They are "the mortal diseases under which popular governments have everywhere perished," said Madison. Because factions are endemic to free society, the central intellectual challenge in designing a constitution for the United States was to minimize the effects of special interests on government. The enslavement of modern American government to special interests and local constituencies at the expense of pressing national concerns indicates that something

Stephen C. Erickson *is a doctoral candidate in early American history at the College of William and Mary.*

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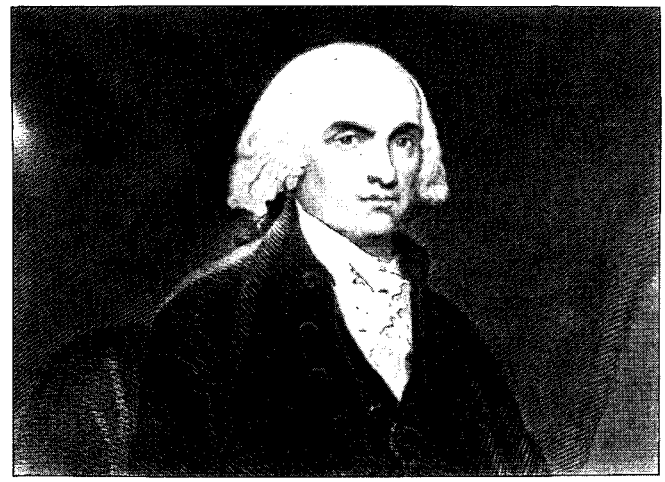
has gone drastically wrong with the Founders' strategy for controlling faction.

The system of checks and balances taught to every American school child is the Founders' first weapon against faction. Their plan gave the various branches of government not only different powers, but also contrasting temperaments.

To the executive they gave energy and to the judiciary independence. In keeping with the classical model, the Founders attempted to provide the two branches of Congress with the complementary characters of wisdom and virtue. Chosen by direct election, the House was designed to be immediately representative of the people, exercising republican government in its raw form. Madison argued that this lower branch would be most capable of reflecting the public virtue found in the body of the citizens, but might lack the wisdom to distinguish self-interests from broader community interests, become motivated by popular passions, and thus be prone to faction.



Archive Photos

Unlike Anti-Federalists who wanted term limits to keep government close to the people, Madison wanted them to give legislators more independence from their own narrow constituencies.

Coolness in the Senate

To check the potentially narrow-minded perspective of the lower branch, Madison supported a Senate that would proceed "with more coolness, with more system, and with more wisdom than the popular branch." Popular passions were to be cooled through indirect election, a "refining process" whereby senators were elected by state legislatures—although Madison personally preferred indirect means other than state governments. Members of the upper house represented greater territories and would therefore possess a broader view, and hold office for six-year terms to give them more time to become acquainted with national concerns. While the upper house would be a constant check upon faction, its actions would in turn be monitored by the lower house to safeguard against the potential corruption of government bodies more distant from the oversight of the people. On paper, the House and Senate struck an ideal balance.

But differences between the upper and lower houses of Congress disappeared in the 19th and early 20th centuries, as the indirect election process was gradually eliminated throughout the states. Today's senators are, in effect, representatives with longer terms, and are no more resistant to special interests than their counterparts in the House. Even if the Founders' "refining" mechanism were still in place, it is difficult to see how it would be an adequate defense against modern special interests, given the vast capability of modern government to serve those interests. Indeed, circumstances have rendered both houses of Congress identical in character and temperament.

Advantage of Large Republic

Another way Madison hoped to discourage faction was in the creation of a large republic. While a small republic might easily split into two factions or interests, Madison believed that a large and populous territory like the United States, containing many conflicting interests, would be less prone to faction because in a large republic it would be difficult for any single interest to form a majority and serve itself at the expense of the common good; on the contrary, a host of conflicting interests would check each other. Madison's theory held as long as the federal government's power remained relatively limited. Yet limited federal power encouraged the rise and militant assertion of a minority Southern slave interest, which led to the Civil War—America's bloodiest battle with faction.

Ironically, the Civil War marked a major step in the growth of an increasingly powerful federal government that eventually undermined Madison's large-republic theory. Commanding enormous power and resources, modern government now serves thousands of special interests simultaneously in ways unimagined by Madison and his fellow Founding Fathers. Today special interests are banded together and served by their agents in government, principally congressmen, to form a collective majority. Modern politics have rendered national interests to be, in practice if not in reality, the sum of a vast number of special interests. The mechanisms the Founders incorporated into the Constitution are too feeble to address the threats posed by special interests to a modern state operating within an infinitely more complex society than that of 18th-century America.

Madison Calls Twice for Term Limits

Madison, however, proposed to deploy another weapon in the fight against special interests, and that weapon was legislative term limitation.

The idea was first raised at the Philadelphia Convention on May 29, 1787 in the Virginia Plan. Although introduced by Governor Edmund Randolph, the Virginia Plan had been outlined by Madison in letters to Randolph and George Washington prior to the convention, and served as the initial working draft of the Constitution itself. The plan declared that members of the lower house were to be ineligible to run for re-election after a single two-year term in office and would not be allowed to run again for an unspecified number of years thereafter. The upper house was to be elected by the lower house, incorporating Madison's preferred refining

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mechanism. As a result, term limitation could potentially affect the entire legislative branch. Here, in the Virginia Plan, Madison called for a radical application of legislative term limitation, mandating an entire new House of Representatives every two years and holding out the possibility for frequent and significant changes in the Senate.

Madison's Virginia Plan called for a two-year limit in the House of Representatives.

Although term limitation was later struck from the Virginia Plan, Madison again raised the issue in a noteworthy speech on June 26 that encapsulated much of what he would later write in Federalist 10. The delegates had been discussing the creation of a Senate where Madison hoped to establish a bulwark against faction. Writing about himself in the third person in his notes from the convention, Madison stated:

> [He] did not conceive that the term of nine years could threaten any real danger; but in pursuing his particular ideas on the subject, he should require that the long term allowed to the second branch should not commence till such a period of life, as would render a perpetual disqualification to be re-elected.

Here Madison differentiated the House and Senate far more profoundly than did the final draft of the Constitution. As a result of short terms and the potential for re-election, the House would be sensitive to the changing needs and interests of the population. The Senate, on the other hand, comprised of the old and presumably wise, would take a long and more objective view and, without election pressures that result from short terms and re-elections, would be more capable of rising above narrow self-interests than members of the House. Such ideas, found in his convention speeches and in the Virginia Plan, reflect the true Madison even more than his famous writings in *The Federalist*, where he argued not necessarily for his own proposals, but in favor of a constitution that was the product of a great political compromise.

Madison's efforts on behalf of term limitation were modest and encountered almost no encouragement at the Philadelphia Convention. Arch-Federalists took strong objection to the prospect of a government of amateurs. Their argument is one that has always dogged the case for term limitation, and indeed their objections are frequently echoed by modern critics of the idea.

Madison also agreed that government must be wise, and he therefore could support a nine-year term in the Senate to ensure that one house of Congress was well experienced. Classical political theorists had advised the creation of upper houses comprised of aristocrats, reasoning that only a leisure class would have the time to read widely enough to govern wisely. In Harrington's republic, the upper house debated and proposed legislation, but it was the lower house that voted it up or down. Thus, government was divided into the higher function of debating and proposing carried out by an educated elite, and the lower function of choosing, performed by the representatives of more virtuous freeholders.

The Rise of Career Politicians

But who actually proposes modern legislation? Today, laws and policies are developed by legions of legislative staffers, bureaucrats, and lobbyists, while the choosing is left to elected officials in both houses of Congress. In terms of the classical model, the brain trust has moved from the old aristocratic upper house to a professional class of public policy experts. Given the complexities of modern government and society, no other division of labor seems possible. The modern U.S. Congress is no smarter than the bureaucracy that supports it, and is therefore neither especially wise nor virtuous.

No doubt many of Madison's colleagues at the Philadelphia Convention would have joined him in support of legislative term limitation had they foreseen the possibility of the rise of a class of career politicians, all but unimaginable in 1787. Indeed, Madison acknowledged that "a few" members of the legislative branch would be "frequently re-elected" but that "new members would always form a large Proportion." The Anti-Federalists were less convinced, and their case for re-election restrictions based upon worries about corruption and the establishment of a detached ruling class is still relevant today.

But it is Madison's argument for term limitation that cuts to the heart of what is wrong with the present American political system. Unlike his Anti-Federalist critics who called for term limitation to prevent the rise of a government independent of the people, Madison sought to use the concept to give legislators more independence from their own narrow constituencies and self-interests. He attempted to create a system whereby legislators were not advocates for special groups, but impartial umpires for the national interest.

Madison understood that all legislative decisions are biased and attempted to minimize those biases by encouraging legislators to be less interested and more judicious through mechanisms like term limitation. Madison knew that the desire to be re-elected could make legislators pawns to special interests. And getting re-elected is naturally a primary concern of modern career politicians. Thus, the present system maximizes the influence of special interests at the expense of the common good, and turns Madison's vision of the American republic completely on its head. ☎

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Democracy at Risk

The Dangerous Flaws in the Electoral College

Elizabeth P. McCaughey

On Election Night 1992, television viewers across America watched giant electronic maps as Bill Clinton captured 31 states totalling 370 Electoral College votes, well above the 270 required to win the White House. Because only 43 percent of the voters supported Clinton—leaving 57 percent favoring George Bush or Ross Perot—it was the Electoral College that gave legitimacy and finality to Clinton's weak popular victory, assuring the nation that the president-elect was not just a regional favorite but had the support of voters nationwide.

Even so, the Electoral College system has a dangerous shortcoming. The system will not transform every popular vote plurality into an electoral majority. If no candidate wins an electoral majority and the system is deadlocked, the nation will confront a constitutional crisis. The danger is that the deadlock will be resolved in a way that seems to rob Americans of their perceived right to select the president.

Near-Crisis in 1992

Last June it appeared that the nation was heading unprepared into such a crisis. Ross Perot reached second place in the polls, ahead of Bill Clinton, and a panel of 50 Republican and Democratic strategists announced there was at least a 50 percent chance no candidate would win enough states in November to secure an electoral majority. Constitutional procedures designed 200 years ago would have permitted that deadlock to be resolved in a way that defied the popular will.

The nation's newspapers carried full page-diagrams of the Constitution, showing how the predicted deadlock could be broken by a behind-the-scenes swap of electoral votes or a straight party vote in the House of Representatives, making the second- or third-place candidate president.

At risk was one of the nation's greatest assets, the people's confidence in the fairness of the electoral process and their readiness to accept the winner as their legitimate leader. The Constitution gives the power of presidential selection not to the voters but to electors, and in the event of no electoral majority, to the House of Representatives. Yet Americans believe that voters choose the president, and that perception is as important to our political culture as anything written in the Constitution.

To save the nation from a future legitimacy crisis—especially in 1996, when a strong third party challenge is likely—the system should be modernized now to conform to our democratic values. The place to begin is with electors, who once were necessary but now are superfluous and dangerous.

A Memo to Perot

The framers of the Constitution invented the office of elector, because they worried that the ordinary voter would not be informed about presidential candidates from outside his own state. Without political parties, campaigns, and nationwide newspapers, how could a Massachusetts farmer make a wise choice between a Virginian and a New Yorker, whose names he probably had never heard? But in each state, voters or their representatives in the state legislature could select citizens with a knowledge of national affairs and trust them to choose the president. Originally electors were not pledged to any candidate; they were expected to use their own judgment.

In 1787 electors were an ingenious and necessary invention. By 1830 they had become obsolete. With the rise of Jacksonian democracy, national political parties advertised their candidates with slogans, banners, and campaign songs. The candidates' names became known to voters everywhere, and soon replaced the names of electors on the ballots in many states. Voting for president became the most important event in the nation's political life: in the words of Alexis de Tocqueville, a time when the nation glowed "with feverish excitement."

Today Americans still tolerate the obsolete Electoral College, but their patience would turn to rage if they thought that a behind-the-scenes deal was made to choose the president without their consent.

This is a real danger. In 1968, candidate George Wallace demanded that his electors sign a pledge to vote

Elizabeth P. McCaughey *is a constitutional scholar at the Center for the Study of the Presidency in New York, and served as chairman of the Panel on Presidential Selection.*

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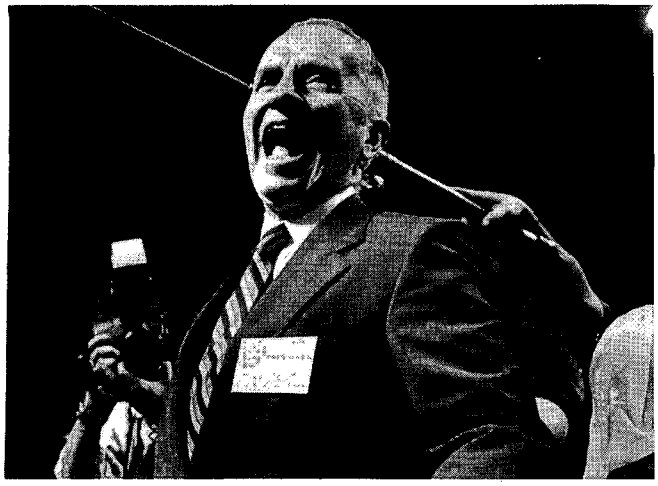

AP/Wide World Photos

Ross Perot's candidacy nearly threw America into a constitutional crisis.

for him or someone he designated. Wallace envisioned himself wielding the power of a kingmaker, in the event that neither Richard Nixon nor Hubert Humphrey won enough states to capture an Electoral College majority. But Nixon topped the 270 electoral votes needed, and Wallace's bargaining power never was tested.

The danger reappeared last spring, when Ross Perot's popularity surged and his strategists laid the plans for a behind-the-scenes deal. A confidential memo to Perot from one of his strategists on March 28 reminded him that ultimately, every elector is a "free agent." The memo advised Perot to make "loyalty" the first criterion in choosing his electors, "with an eye to the possibility of a deadlock and some degree of bargaining" for "policy, patronage, or cabinet considerations."

House Spectre

As the media tracked Perot's surge in the polls, few Americans were aware of the danger of a behind-the-scenes-deal, but they grew increasingly alarmed by the prospect that the House of Representatives might choose the next president.

The Constitution provides that if no candidate wins an Electoral College majority, the House will select the president from among the top three candidates, with each state casting one vote. Last spring, when the House banking scandal had forced public confidence in their Congressmen to a new low, the headlines suddenly proclaimed: "1993—The Year Congress May Pick the President." It was ironic that the candidate running against the Washington establishment was likely to shift the ultimate decision away from the voters and into the hands of suspect professional politicians.

Two centuries ago, the framers of the Constitution devised this contingency selection by the House because they doubted that after George Washington there would be another candidate of continental reputation who could win nationwide support and a majority of electoral votes. Within decades the rising spirit of democracy and the emergence of national political parties made this constitutional provision an anachronism.

Consider the public outrage in 1824, the second and last time the House chose the president. In a four-way election that year, Andrew Jackson finished first in electoral votes, but he lacked a majority. Henry Clay, who finished fourth, wielded his considerable support in the House to make second place candidate John Quincy Adams the next president; Adams named Clay secretary of state soon after. Historian Robert Remini reports that even 160 years ago, when America's democratic spirit was just emerging, Clay's scheme was deplored as a "betrayal of the popular will."

Last spring, Ross Perot's surprisingly strong support made another betrayal of the people's will seem dangerously possible. One perceived risk was that the House would vote along straight party lines, even if it meant defying the popular election results and making a distant second- or third-place finisher the president. The hypothetical seemed chillingly possible in mid-June, when Clinton was placing third in several polls at the same time that Democrats looked likely to keep control of the House after the November election.

Some voters began confronting candidates for Congress and demanding to know how they would act if the decision went to the House. By June, a few congressmen were responding to public pressure and pledging to abide by the popular decision in their district, or state, or by the national vote. But many more congressmen were ducking the issue, including the Democratic Speaker of the House Tom Foley, who declined to say what factors—party loyalty, or popular vote—members of Congress ought to consider if they had to choose the president. Democratic Party chairman Ron Brown actually told his members that their duty would be to support the party.

On July 16, however, Perot withdrew from the campaign. Political pundits put away their copies of the Constitution and settled into their customary jobs calling a two-horse race, and talk of a constitutional crisis abruptly stopped.

In the aftermath, a group of constitutional lawyers, political scientists, a historian, a political strategist, and a former presidential candidate—all experts on some aspect of selecting the president—assembled in Arlington, Virginia last August to assess whether the nation had been heading unprepared into a constitutional crisis, and what changes, if any, are needed in the 200-year-old system. Those signing the final report were: Akhil Reed Amar, John B. Anderson, Doug Bailey, Judith Best, Broadus Butler, James Ceaser, R. Gordon Hoxie, Elizabeth P. McCaughey, James Pfiffner, and Abigail M. Thernstrom.

Three Proposed Amendments

The Panel on Presidential Selection was a nonpartisan group—Hamilton and Madison were discussed often, Bush and Clinton hardly mentioned. Its concern was not about who would win in November but, instead, about preserving the people's confidence in the fairness of the system and the legitimacy of the outcome. The Panel proposed three amendments for the people to consider calmly now that election frenzy is over.

The Panel's most important proposal is to eliminate presidential electors and make Electoral College voting automatic. This change would eliminate the minor

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danger of the "unfaithful" elector who, acting alone, defies the voters of his state, and the much more serious danger of a behind-the-scenes deal arranged by a group of electors or by the candidates themselves. To make the change, a constitutional amendment must be passed, providing that "the electoral votes of each state shall be cast as the laws of that state direct."

The amendment would allow states to continue the "winner-take-all" rule that is now the law in 48 states, or to choose from a limited number of alternatives, such as allocating electoral votes to candidates according to their share of the state's popular vote, or, as some reformers advocate, awarding electoral votes to the winning candidate in each congressional district, as Maine and Nebraska do.

Amending the Constitution is never easy, but this proposed amendment has a chance to succeed because it is uncontroversial. It does not eliminate electoral votes or alter how many votes each state is entitled to cast. Many past proposals have been defeated because they attempted too much and were defeated in the crossfire between large and small states over whether the system is fair.

Though 26 states already outlaw "unfaithful" electors, a constitutional amendment is necessary. Most state laws punish the defiant elector, but do not prevent the ballot from being counted. In addition, all these state laws may be unconstitutional, because the framers of the Constitution intended electors to exercise their own judgment. An amendment is necessary to ensure that the state's electoral votes always will be cast as the voters intend.

The Panel's second proposed amendment ensures legitimate leadership for the nation in the event that the winning candidate for president dies. The Constitution already provides a successor in the event the president or the president-elect dies, but the Constitution is silent on what should be done if the winning candidate dies before Congress has counted the electoral votes and *declared* him president-elect. Would another national election be held? Would party leaders designate a replacement?

The Panel recommends a constitutional amendment to provide: "If the person having a majority of electoral votes dies before the time set for Congress to count the votes, the person having a majority of electoral votes for vice president shall become president-elect."

The third proposal eliminates Congress's role in breaking an Electoral College deadlock by establishing a run-off election. The two presidential and vice presidential candidates with the most electoral votes would face off on the first Tuesday after the first Monday in December. As always, electoral votes, not popular votes, would determine the winner.

Critics might argue that holding a run-off election would be too great a burden on the states. The Panel reasoned that states routinely hold run-off elections to fill other offices, and can hold one to select the president on the rare occasion when a deadlock occurs.

However wise the run-off provision is, the Panel realized that getting any amendment ratified is an arduous and uncertain endeavor. So before adjourning, the Panel suggested a set of procedures that should guide the House, should its members some day be called on to select the president. Unlike a proposed amendment to the Constitution, these proposed rules need nothing more than the approval of the House.

Changes in House Rules

The rules that the House devised when it chose the president in 1800 and 1824, especially the decision to keep all balloting secret, are unsuited to our democratic expectations today. Last spring, most Congressmen were so reluctant to accept responsibility for choosing the president—a task full of political risks and few potential gains—that they could not bring themselves to draft a modern set of rules before a crisis was imminent. One serious risk of delay is that rules devised in crisis are more likely to be shaped for immediate and partisan advantage.

The Panel therefore proposed three rules for the future to enable the House to act without delay and to ensure that the public views the House's decision as legitimate.

The Constitution provides that each state shall have one vote, but it is silent on what rule determines how a state's vote is cast. Must a majority of the state's Representatives agree on a candidate, or should a simple plurality be enough? The question is critical for ensuring that the House can select the president without danger of delay. Rule 1 states: "The presidential candidate who receives a plurality of the votes cast in a state delegation will be entitled to that state's vote." Requiring a majority, as the 19th-century rules did, could cause states to be undecided indefinitely.

Rule 2 specifies that "The newly elected House of Representatives shall choose the president." The Constitution does not explain whether the lame duck House of Representatives or the House newly elected in November will choose the president, but a federal statute gives that duty to the new House, and it should not be changed in time of crisis.

In the event of a heated, three-way contest for the presidency, voters can anticipate that the Electoral College may be deadlocked, and they can demand to know how each House candidate would vote if called upon to choose the president. Entrusting the incoming House, rather than the outgoing one, to select the president enables voters to hold their Congressmen somewhat accountable. A run-off election is most consistent with the people's views on how the president ought to be chosen, but short of that most democratic method, the newly elected House ought to make the choice.

Rule 3 reverses historical precedent by providing that "All proceedings will be public." A secret selection of the president would undermine the people's confidence in the legitimacy of the outcome.

On Election Night 1992, President Bush called it "majestic" that the powers of the presidency can be handed peacefully from one leader to the next after each election. For 200 years, Americans have recognized the winner of the election as their legitimate leader, even after the most divisive contest. It is a record unmatched anywhere in the world. Minor changes can help ensure that the record continues.

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Winners' Circles

Chicago's Experiment in Low-Income Enterprise

Scott Bailey

"Nobody would help me, no one." That's the conclusion Ernestine Taylor arrived at after trying to get a loan to help keep her day-care business running. Although she had 15 years of experience and is president of a 150-member home day-care provider association, she was unsuccessful in getting help from government sources. And since she had no collateral, banks were not interested. Then she heard about a private non-profit organization called the Women's Self Employment Project (WSEP). Not only did WSEP give her a loan, but it helped her work through her financial problems and even stood by her when her loan application ran into technical difficulties.

Now Taylor is expanding her business to offer after-school care. She will employ two full-time and one part-time employees when the expansion is complete. In her neighborhood of Humboldt, west of downtown Chicago, she is already creating business for carpenters, electricians, and plumbers as she renovates her center to accommodate more children and to meet health and safety codes. She has, in effect, become her own economic development program on a block where there are as many boarded-up storefronts as there are active businesses.

Such success stories are becoming more and more common for WSEP, whose Full Circle loan fund has made $157,200 in loans to women like Taylor. For each of the three years the program has been operating, it has had a zero-percent loan default rate, with an average delinquency rate of 2 percent. By comparison, the personal loan delinquency rate for banks—which are making supposedly safer loans—is 3.7 percent. WSEP's remarkable success suggests that, for a portion of the disadvantaged population, entrepreneurship may be a way to increase income and reduce dependency on government assistance.

From Bangladesh to Chicago

WSEP's origins go back to the mid-1980s and a series of conversations and meetings among activists from philanthropic foundations, women's groups, community organizations, and interested individuals in the Chicago area who were concerned about the number of poor women in the city. This group agreed on three points: first, they believed there was a large pool of untapped entrepreneurial talent among unemployed and underemployed women in Chicago; second, that self-employment should be an option for women who are trying to become financially self-sufficient; and third, that it was difficult, if not impossible, for disadvantaged women to acquire venture capital to start their own businesses.

Since there was no existing organization to address their concerns, they decided to create one. A few members of the group formed a steering committee: Mary Houghton, the president of Shorebank, a Chicago-based bank that provides financing and assistance for community and economic development for depressed neighborhoods; Gail Christopher, a successful entrepreneur; and Elseth Revere, president of the Woodstock Institute, a research and policy organization related to community-development finance. In 1986 this committee designed and developed WSEP, a private nonprofit organization that would provide training and technical assistance and make loans to low- and moderate-income women entrepreneurs. Funds for WSEP came from, among others, the Joyce Foundation, the Chicago Community Trust, and the New Prospect Foundation, with a small contribution from the Chicago Department of Economic Development.

Peer Pressure Collateral

WSEP administrators and its board of directors knew that many small business-development programs had failed before, and they knew they had to be innovative in delivering services if they were to succeed. Several of those involved with WSEP were aware of a new approach to entrepreneurial lending that was being used by the Grameen Bank in Bangladesh.

The Grameen Bank is a private, nonprofit organization. It was founded in 1983 by Muhammed Yunus, who sought to spark entrepreneurship in rural Bangladesh. The bank lends to the poor, and mostly to women, who have little or no collateral or credit history.

Scott Bailey *is a former policy analyst for the National Governors Association.*

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Rather than lending to individuals, the bank lends to "peer groups"; the peer group members themselves decide which member has the best idea for a business, and that person gets the loan. If that individual's loan repayments are made on schedule, another member of the peer group becomes eligible for a loan, and so on, until all the members have received a loan. Because the success of any individual depends on the success of others in the group, and since the group—as well as the individual—has responsibility for the loans, there is a great incentive to work as hard as possible and assist other members in the group to make loan payments on time. Instead of securing the loan with collateral, the bank secures it through the peer pressure and peer support of the group. WSEP decided that one of its major initiatives would be to test whether the Grameen Bank approach could work in urban Chicago.

One of WSEP's principal programs, the Full Circle Fund, is closely modeled after the Bangladesh bank's practices. To obtain loans from the fund, women form peer groups, or circles, of five women. The membership of the circle is determined by the women themselves, which helps to ensure that the women are comfortable with each other. The circle then must go through training and orientation to discuss business skills, the rules of the fund, and the responsibilities of the circle members.

The attrition rate is high. A WSEP analysis of the circle program in the Englewood area of Chicago showed that 350 women reached the first stage of the Full Circle program—an initial interview—but only 50 women remained until the end of the orientation period, and only 35 women actually joined circles.

If the group makes it through orientation, the circle is certified by WSEP and becomes eligible for a loan. The circle members select two women to receive loans. A first-time loan is limited to $1,500; the average loan is $850. The women make 26 payments per year on the loan at an interest rate of 15 percent. If the first two women make timely loan repayments for two months, another circle member becomes eligible to receive a loan. The bulk of these loans are used to purchase equipment or inventory, such as accounting software, sewing machines, material for jewelry-making, or food preparation equipment. The loan circles are required to meet every two weeks to make loan repayments, decide about borrowing requests, discuss progress and problems, and analyze each other's business strategies.

The Women of Phoenix Rising

WSEP's first loan circle was formed in the Rogers Park neighborhood in north Chicago. Many cultures are represented in the community: African, Asian, European, Caribbean, and Hispanic. Some residents call it the "neighborhood that speaks 50 languages."

A relatively new circle that calls itself Phoenix Rising recently held its biweekly meeting at the Rogers Park Presbyterian Church. Rebecca Rosofsky, the WSEP enterprise agent charged with overseeing Phoenix Rising, arrived first. Her job is to ensure that all the financial arrangements of the group—loan payments, members' bank accounts, and the circle's bank account—are in order. She also handles miscellaneous problem-solving for the group, which often means working seven days a week. Although technically Rosofsky oversees the group, she tries to restrict herself to an advisory role in circle meetings.

photo courtesy WSEP

Peer pressure encourages financial responsibility at the Women's Self-Employment Project. Here, WSEP participants wait for loan disbursements at a Full Circle meeting.

Tina Weller, whom the circle members elected chairman, runs the meeting. She and Jane Lasser are the first circle members to arrive. Weller works in a law office and is currently taking classes to become a paralegal. She wants to start a temporary-employee legal secretary service. Lasser makes costume jewelry. Among the members of the circle, she is farthest along in developing her business. She has been able to support herself by selling her jewelry to both Chicago-area stores and stores across the country.

The other members arrive individually over the next few minutes. Lillian Eglo, who works during the day for a visiting nurses association, devotes her evenings and weekends to starting "Lil's on the Lake," a food service that caters events in the area. She eventually wants to open a restaurant of her own. Iris Cotton makes lingerie for larger women. Her business, "Sensuous Hugs Lingerie," has done well making customized fashions, but she eventually wants to market her designs to chains of lingerie shops and clothing stores for larger women. The final member, Gloria Pailler, who is currently unemployed, wants to make a business out of her hobby of embellishing clothes. She takes plain clothes and adds designs, beads, or other things to "funk 'em up."

Mutual Support

The women were initially attracted to the Full Circle program for similar reasons. They all want more than to "just get by." They all needed more money to raise their standards of living. Each believed that her skill or idea was valuable. They all had difficulty locating start-up capital. A few of the women had bad credit histories; others had no collateral. For someone in this situation, Lillian says, WSEP seemed to be too good to be true.

Part of the attraction of WSEP is the opportunity to talk with other women who are facing similar problems. Each woman has different past experiences and is at a

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photo courtesy WSEP

Grameen Bank founder Dr. Muhammed Yunus at a Full Circle meeting in Chicago.

different stage in the development of her business. As a result, each can offer other members different types of help. When Lasser has a question on credit histories, Weller—who previously worked at a bank—is able to respond. When Eglo mentions she has trouble getting a client to pay, Lasser—who has a lot of experience with problem accounts—gives her advice on the best ways to handle delinquent accounts receivable. And when Weller says she needs business cards, Cotton—who recently shopped around for them—tells her where to get good inexpensive cards.

The circle members say that the emotional support of the other women is as important as the financial help. In one meeting, Eglo, the caterer, talked about a hard week she was having. Because she has no car and she works during the day, she had great difficulty the prior weekend getting supplies and preparing food for an outdoor event. To make matters worse, it rained when she got to the event site, which ruined her plans. Afterwards, she said she wanted to sit down and cry, and maybe even give up her business. But the other women in the group immediately responded with offers of help with transportation and advice on how to plan, organize, and prepare for events. Iris even offered to give Lillian a large umbrella to help cope with the rain. The other circle members received similar offers of help and advice when it was their turn to discuss their business.

Off of Welfare

WSEP has run up some very impressive statistics. Through the Full Circle program and several other self-employment programs, WSEP has served over 2,500 women; 650 women have participated in entrepreneurial training programs; and 300 small businesses have been started.

The Full Circle program of WSEP has made 136 loans with a total value of $157,200 and has formed 21 loan circles. The repayment rate is 100 percent for each of the three years of the program: every woman who has borrowed money has paid it back. The average delinquency rate is approximately 2 percent. While the 2 percent figure is quite low by financial industry standards, it actually overstates the problem that the Full Circle program has with non-current loans. Nearly all of the Full Circle's delinquent loans are less than 30 days late in being paid. Most banks don't consider a delinquency a "problem" loan until it is 90 days overdue.

In 1988, in an effort to go beyond anecdotal evidence, WSEP joined with the Illinois State Department of Public Aid to conduct a demonstration project to test whether self-employment could reduce welfare dependency. Twenty women on AFDC who had expressed an interest in self-employment were chosen to participate in the project. The average participant had been on AFDC for six years. Of the 20 participants, 16 women completed the project; today, 14 no longer receive AFDC benefits, while two others receive reduced benefits. The 12 most successful participants earned 61 percent more than the income they previously received from their combined public assistance payments. Recently, the women who successfully completed the program celebrated their second year off welfare.

WSEP administrators concede that, while many of the women improve themselves economically in the program, the ventures often are only able to make the women marginally self-supporting. To help clients earn more income, WSEP staff recently have highlighted the importance of product development and marketing to help the women reach a larger and broader clientele and keep their businesses growing. Still, there are many women in the program who are unable to markedly improve their standard of living after reaching self-sufficiency.

Yet WSEP Director Connie Evans cautions those trying to evaluate the program that "success" means different things to different women. Some of the women in the program want to build their businesses into large, highly profitable enterprises; others just want to become self-supporting; and others simply want to add to the family income. WSEP's only goal is to help women increase their income and decrease their dependency on public assistance. Anything that works toward that goal is a success. By that standard the program is performing well.

Barriers to Self-Employment

Evans wants to remove city, state, and federal regulations and laws that are barriers to self-employment for disadvantaged women. Federal AFDC regulations that set income and asset limits for recipients are an example of this type of barrier. In most cases, for purposes of welfare eligibility, a self-employed welfare recipient cannot separate cash obtained through business loans or the value of a business's capital equipment from her personal assets. She cannot deduct the repayment of the principal of a business loan as a business expense. She cannot claim depreciation. Generally, a person loses welfare eligibility if her assets exceed $1,000. If she has anything other than the smallest of businesses, she loses all her benefits. Compounding the problem is the possible loss of Medicaid benefits.

Evans would like to see changes so that a woman in a self-employment venture could retain her benefits for a set period until her income stabilizes. Currently, if a woman on welfare participates in job training or educational programs, she retains welfare benefits; if she finds employment, she is allowed 12 months of transitional

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child care and Medicaid benefits. WSEP would like the same assistance and benefits made available to AFDC recipients who want to try self-employment.

Rent for public housing is another problem. As soon as a woman earns some income from a self-employment venture, her rent payment shoots up. This is problematic because income from a start-up enterprise is different from other employment. Revenues are usually volatile. One week a WSEP client may have a great deal of income and the next several weeks, none at all. WSEP is arguing for restraint in increases in rent until incomes from these ventures stabilize.

City ordinances are another impediment to work in the home. Most WSEP clients can't afford office or shop space, and working and selling in their home is their only option.

Finally, there is the over-arching problem with city and state government economic planning. In determining their economic and community development strategies, state and local governments often neglect self-employment as a tool to bring individuals out of poverty. Programs like WSEP are considered only as an afterthought, if at all.

Evans is quick to concede that self-employment is not a solution for every woman who is dependent on public assistance. But she believes there are ambitious and talented disadvantaged women who are fed up with working for someone else, are in family situations that make it difficult for them to find employment, or just have a dream of creating their own business. For these women, women like Ernestine Taylor and the members of the Phoenix Rising circle, self-employment may be their best opportunity to escape poverty.

Self-employment should be an option for women who are trying to become economically self-sufficient.

WSEP has fulfilled part of that obligation by demonstrating that women can use self-employment to better themselves. Ernestine Taylor, the women in the Phoenix Rising circle, and many other ambitious and talented women have a brighter future as a result of WSEP's innovative efforts.

Solving America's Domestic Policy Problems

A $290-billion budget deficit, a slumping economy, and an ailing health-care system are among the top concerns facing the Clinton administration and the 103rd Congress. As the debate heats up on these issues, perhaps you'd like to develop a forum with a Heritage Foundation specialist.

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LETTERS

Alger Hiss, Daniel Bell, Eduard A. Lopez, Sidney L. Jones, Louis D. Enoff, Robert J. Myers, Horace B. Deets, Dallas L. Salisbury, Owen Harries, Ray S. Cline, Robert B. Oxnam, Ben Stavis, Lee Edwards, Phillip D. Grub, June Teufel Dreyer, Keith Idso, G. M. Woodwell, Walter C. Oechel, Mark Harmon, Marion Clawson, Daniel Lashof, Andrew Gettelman, William A. Nierenberg, James M. Strock

To Tell the Truth

On April 6, 1992, Adam Meyerson, editor of Policy Review, *sent the following letter to Alger Hiss:*

Dear Mr. Hiss:

The archives of the Communist Party of the Soviet Union are becoming available to historians now, and the details of whatever involvement you may have had with the CPSU will presumably become known. Should you wish to make your story known yourself, *Policy Review* would be very interested in publishing it.

Policy Review is the quarterly magazine and flagship publication of The Heritage Foundation. I enclose a copy of a recent issue, which includes tributes to seven heroes of the Cold War—Winston Churchill, Harry Truman, Konrad Adenauer, George Meany, Whittaker Chambers, John Paul II, and Ronald Reagan.

Should you wish to make your story known in our pages, we would be interested in either an article or an interview. If you joined the Communist Party, we would want to know why. If you ever committed espionage for the Soviet Union, we would want to know why. If you would want to apologize to Whittaker Chambers for any reason, we would want to publish your apology. We would also want to know if you ever became disillusioned with the Soviet Union or ever broke with the Communist Party and, if so, why.

Please let us know if you would like to tell your story in this way.

State of Denial

Mr. Hiss replied to this request on October 7, 1992.

Dear Mr. Meyerson:

Thank you for your letter of 6 April 1992 inviting me "to make [my] story known in [your] pages" now that formerly secret archives of the Soviet Union are becoming available to historians. The delay in my reply is occasioned by the time it has taken to conduct thorough research at the archives in Russia.

As I have said and written for some 44 years, I was never a member of the Communist Party and never committed espionage for the Soviet Union. Therefore, I personally have nothing to add. However, I am pleased to inform you that, as a result of the opening up of the archives of the CPSU and intelligence services of the Soviet Union, I do have something new to report.

I wrote to Russian officials in charge of the archives to ask them for all the Soviet materials about my case. Following up my letters and at my behest (advanced age and poor eyesight keep me close to home), John Lowenthal, an historian/documentary filmmaker of the Cold War and of my case, conducted research at the archives and met with Colonel-General Dmitry A. Volkogonov, Counsellor of the President of Russia, People's Deputy of the Russian Federation, and Corresponding-Member of the Russian Academy of Sciences. General Volkogonov is Chairman of the Commission for the Accession of KGB and CPSU Central Committee Archives of the Supreme Council of the Russian Federation as well as co-chairman of the American–Russian commission investigating the fate of prisoners of war and other Americans held in the Soviet Union. He is also an historian and biographer of Stalin and Trotsky.

I enclose a copy of General Volkogonov's response of 14 October 1992 authoritatively confirming that I was never a spy for the Soviet Union. (As for the accusation that I was a member of the Communist Party USA, there is no supporting evidence whatsoever in any archive or known to any Russian official consulted by Mr. Lowenthal.)

I trust that this answers your questions and that you will print this entire letter and as written.

Alger Hiss

Dear Mr. Hiss:

Thank you for your letter of 27 October 1992, which we shall publish in a forthcoming issue of *Policy Review.*

Our invitation to you still stands. If you ever joined the Communist Party or ever committed espionage for the Soviet Union, we would be happy to publish an article in which you explained why. General Dmitry Volkogonov's statement cannot be regarded as the last word on this subject.

General Volkogonov is a distinguished historian with extraordinary access to Soviet files, but he may not have had access to all the relevant archives on Soviet agents in the United States in the 1930s. Indeed his declaration that he saw no evidence that Whittaker Chambers was a Soviet agent may have been a signal by Volkogonov that he did not see the proper documents. The truth can be better judged when KGB and Soviet military intelligence (GRU) archives are made openly available to Western as well as Russian historians.

Even then, historians must con-

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sider the possibility that documents have been destroyed or hidden. Numerous allegations of KGB destruction of its documents have been made in the Russian press. On a number of recent occasions, Soviet and Russian authorities have initially denied knowledge of files that they subsequently revealed had been in their possession—among them the secret protocol of the Molotov–Ribbentrop (Hitler–Stalin) pact and the files on the Katyn massacre of Polish officers.

Moreover, General Volkogonov's statement does not contradict any of the evidence that led to your conviction of perjury by a jury of your peers. In addition to, or, if you prefer, instead of, the questions I asked you in my letter of 6 April 1992, I invite you to write for *Policy Review* on the following question: In your responses to Whittaker Chambers's charges about his relationship with you, where (and for what reason) were you lying and where were you telling the truth?

Please let us know if you would like to tell your story in this way.

Adam Meyerson

No Neocon

Dear Sir:

In "Battler for the Republic: Irving Kristol's Terrible Swift Pen" (Fall 1992), Mark Gerson makes a number of errors and omissions that distort the history of the *Public Interest*, as well as the character of "neoconservatism."

Mr. Gerson writes of Alcove One at City College and Kristol and his "Trotskyist friends," among whom he lists me and Nathan Glazer. Neither of us were Trotskyists—I was, and remain a social democrat—and Glazer was a few years behind us, although we all became friends soon after.

Mr. Gerson writes of the anti-Communist Left, centered about *Commentary* and the Congress for Cultural Freedom, with whom he names Irving Howe and Michael Harrington. Although the two were anti-Communist, both were hostile to the Congress for Cultural Freedom.

About the men who wrote for the *Public Interest*, Mr. Gerson lists a number of regular contributors and then states: "The works of Jude Wanniski on supply-side economics, Charles Murray...were launched in this journal." But this distorts completely the early character of the *Public Interest*. From 1965 to 1972, those who wrote on economic policy for the *Public Interest* were Robert M. Solow, Thomas Schelling, Robert Heilbroner, and Edwin Kuh, all Democrats and Keynesians. Moreover, Senator McGovern's "demogrant proposal" in 1972 first appeared in the pages of the *Public Interest*, as proposed by the late Edwin Kuh of M.I.T.

The magazine at that time was distinctively liberal. The character changed after I resigned as co-editor because of political differences with Irving Kristol. But as I wrote him at the time, I think that friendship is more important than ideology and I prefer to continue our relationship as friends rather than fight in the magazine over ideology. I respect Kristol enormously, and we remain friends.

Mr. Gerson remarks that the early issues of the *Public Interest* reflected my views on the end of ideology: "...the idea that all policy problems could be solved technically." What a strange characterization. Curiously, it was one that was usually made by the Left in criticism of the magazine, and equally misleading. For all of us, moral and political questions were always intertwined with policy, especially as I do not accept the "fact/value" distinction.

Toward the end of his article, Mr. Gerson repeats the familiar names of neoconservatism in which he includes myself (no neoconservative) along with Norman Podhoretz, Jeane Kirkpatrick, and many others. But this is to jumble hopelessly the history of that term and the individuals identified with it. The *Public Interest*, if that is the first example of neoconservatism, arose out of a dissatisfaction with the simplicities of the Kennedy-Johnson domestic programs, and the fact that magazines such as Norman Podhoretz's *Commentary*, and *Partisan Review* were closed to us. In fact, in his first memoirs, Podhoretz derided the *Public Interest* as a "company suggestion box" for capitalism. It was only when foreign policy became salient that Podhoretz became "neoconservative."

But on those divisions, individuals such as Nathan Glazer and Seymour Martin Lipset were "doves," not "hawks." In short, an effort to put these events into pigeon-holes distorts the complexity of those times and serves mythmaking, not history. In fact, the only one who probably was consistent was Irving Kristol. He was, and probably is, the one true neoconservative.

Daniel Bell
Scholar in Residence
American Academy of Arts and Sciences
Cambridge, MA

I was never a member of the Communist Party and never committed espionage for the Soviet Union.

—Alger Hiss

Mark Gerson Replies:

Nowhere in my article did I imply that Mr. Bell was a Trotskyist and not a "social democrat." I wrote that Mr. Bell was a member of Alcove Number One at City College, which, as Irving Kristol wrote in *Memoirs of a Trotskyist*, was predominantly Trotskyist, and was where most of his friendships were formed. According to Mr. Kristol, Mr. Bell was a "rarity," whose "skepticism toward all our ideologies would ordinarily have disqualified him from membership in Alcove One."

Mr. Bell is quite right that Mr. Howe and Mr. Harrington criticized the Congress for Cultural Freedom. I simply made the point in my article—one that Mr. Bell does not contest—that both were members of the anti-communist Left which, as a

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whole, was closely allied with the Congress and with *Commentary*.

It is true that the early *Public Interest* was liberal. Its meliorism is reflected in the articles that Mr. Bell cites and others that assume social problems can be solved through a restructuring of incentives. Despite Mr. Bell's description of my "end of ideology" thesis as "strange," the *Public Interest* clearly backed away from this view as it moved to the right. As co-editor Nathan Glazer writes in a critical essay of the early *Public Interest*, "What better example of the end of ideology, of the reign of professionalism?"

Mr. Bell objects to my labeling him as a neoconservative because the term also encompasses others with whom he disagrees. As I wrote in my article, the neocons are "such a politically diverse group" that many observers have suggested the term no longer has any meaning.

Mr. Bell objects to being called a neoconservative because the term also encompasses others with whom he disagrees.

—Mark Gerson

Yet, as George Will holds, labels do not imply ideological conformity, but instead represent "familiar clusters of ideas [that] manifest congruences and affinities that express political temperaments as well as political philosophies." In different contexts and circumstances, numerous scholars, including Seymour Martin Lipset, Robert Nisbet, Peter Steinfels, and Irving Kristol have referred to Mr. Bell as a neoconservative.

Pay-As-You-Go

Dear Sir:

In "Sooner Than You Think: The Coming Bankruptcy of Social Security" (Fall 1992) Bruce Schobel does an excellent job in drawing attention to Social Security's inadequate finances for the very long term. It is commonly thought that in 1983 Congress decided to build up a large reserve in the Social Security trust funds for the retirement of the baby boom. This is largely a myth. In reality, Congress fixed the ailing system with a mix of spending cuts and Social Security tax increases, and did so under economic assumptions that turned out to be overly pessimistic. As a result, the Social Security program is now running larger and growing annual surpluses of $55 billion this year, rising to $126 billion by 2001. These surpluses are invested in Treasury bonds, which is to say they are used to help finance the budget deficit. It is a fluke that the projected accumulation in the Social Security trust funds of trillions of dollars of Treasury debt in the next 25-30 years will coincide with the aging and retirement of the baby boomers.

The Social Security system is overfunded for the short term and overfunded for the long term. While underfunding is a more serious problem than overfunding, unnecessarily high Social Security taxes for the next 20 years will make government finances more regressive and will tend to discourage employment. The solution is to reduce Social Security taxes for the next two decades, and provide for gradual increases in Social Security tax rates thereafter. This solution has been proposed tirelessly for years by former Social Security chief actuary Robert J. Myers, a Republican, and more recently by Democratic Senator Daniel Patrick Moynihan, Chairman of the Senate Finance Subcommittee on Social Security.

Eduard A. Lopez
Legislative Assistant
Office of Senator Daniel P. Moynihan
Washington, DC

Government Can Be Trusted

Dear Sir:

We take exception to Bruce Schobel's argument that the Federal government is likely to default on federal obligations held in the Social Security trust funds.

Mr. Schobel says that when the Social Security trust funds shift from a cash flow surplus to a cash flow deficit in 2016, Social Security surpluses will no longer be available to partially offset a non-Social Security deficit. As a result, the government may need to find additional financing from expenditure cuts, tax increases, or more bond sales to the public, depending on the balance in the non-Social Security budget at that time.

The rising Social Security cash flow deficits projected after 2016 will certainly begin to strain the consolidated Federal budget unless the non-Social Security budget is running offsetting surpluses. However, it is misleading and irresponsible to equate the fiscal policy choices that will have to be faced then with the specter of the government defaulting on its "special obligation" bonds held in the trust funds.

Further, to state, as Schobel does, that "the (Social Security) program will not be able to meet all its obligations" at that time is unnecessarily frightening to the millions of retirees who are depending on Social Security.

The federal government has never defaulted on any outstanding federal debt, nor has it ever failed to pay monthly Social Security benefits in time. The bonds held in the trust funds, like marketable securities, are backed by the "full faith and credit" of the United States government. That promise is no less meaningful because the bulk of those trust funds' holdings are special obligations. The notion that default would be considered a viable policy option is just not plausible.

The Social Security Board of Trustees currently projects that the combined Old-Age and Survivors Insurance and Disability Insurance Trust Funds will not be exhausted until 2036. That projection is based

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upon the justifiable expectation that the benefit promises embodied in the government bonds held in the Social Security trust funds will be honored totally in the future as they have been in the past.

Sidney L. Jones
Assistant Secretary for Economic Policy
Louis D. Enoff
Acting Commissioner of Social Security
Department of the Treasury
Washington, DC

Bonds Are Valid

Dear Sir:

Mr. Schobel and I agree the combined Social Security trust funds will become bankrupt *within* 45 years, as also stated by their board of trustees. Where we differ is that the Board of Trustees and I believe that the point of bankruptcy will be in 44 years, and Mr. Schobel believes that this will occur, in essence, in 24 years. Our opinions differ because he considers the government bonds in the trust funds to be "phantom assets" on which "phantom interest" is paid.

Not so. These bonds are as valid as any other government bonds and are part of the recorded national debt. The interest on these bonds is currently being reinvested in similar bonds—just as is done in common stocks' dividend reinvestment programs. Certainly, the Treasury will have problems providing the necessary monies 25 to 45 years from now, but it would have had exactly these same problems if the trust funds had not had these bonds, because then they would have been held privately.

Even though Mr. Schobel and I disagree as to the validity of the trust fund's investments, I thoroughly concur that immediate action on the overall problem should be taken. This is so even though its effects will not arise until some years hence. The solution is to adopt the Moynihan pay-as-you-go proposal. Then, there would be no problem as to Social Security's bankruptcy occurring in the next 75 years.

Robert J. Myers
Former-Chief Actuary
Social Security Administration
Silver Spring, MD

America Can Pay For Retirees

Dear Sir:

Mr. Schobel focuses on the year (2016) the actuaries have predicted Social Security will begin to run a cash deficit. He notes that after this date, the Treasury will have to find cash somewhere other than the "phantom" trust funds. His facts are not in dispute, but his emphasis is misplaced.

It is not the Social Security trust funds that face a financial crisis, but

the rest of the federal budget. While it is true, as Schobel says, that the Congress has the power to revoke Social Security's "budget authority," such an irresponsible act is unthinkable. The credibility of the government would be shattered.

The system will more than likely need some additional financing in the next 20 years. However, this is not an insurmountable barrier. Whatever we, the American people, decide to pay in benefits, we can finance in one of several ways: make the system pay-as-you-go (accompanied by a contingency reserve); continue to build the trust fund reserves and invest them in ways other than they are invested now; or, continue as we are today, building huge reserves and spending them on non-productive government outlays. I agree with Mr. Schobel that this is the least desirable of the three options for the long-term.

Social Security is a compact between the people of the United States and their government, and between the generations. Looking now at Social Security for the long-term allows us to have informed debates and ultimately to make informed decisions about a program that provides income protection for all Americans.

Horace B. Deets
Executive Director
American Association of Retired Persons
Washington, DC

Even Sooner Than You Think

Dear Sir:

I expect Mr. Schobel may be too optimistic in thinking we have until 2016 before Social Security's cash flow is negative. As the Employee Benefit Research Institute pointed out in a recent paper, "the funds are projected to show a negative balance in 2001 under pessimistic assumptions." These pessimistic assumptions are a close match to the economy today.

The key point in Mr. Schobel's article is that the government will have to find cash when it wants to draw down the trust funds.

Even if Congress honors the bonds, rather than revoking them, it must raise taxes, cut other spending, or issue new bonds to the public to get the cash to pay benefits. This is a fact, but it is certainly not the way the "surplus" is explained to the taxpayers and beneficiaries of Social Security.

Given the American political process, if Social Security taxes were lowered, we might all focus better on the decisions that will ultimately have to be made. This would require the government either to raise other taxes now, cut other spending now, or sell more bonds to the public now. This would make it clear that the federal government is at least $60 billion worse off this year than it says it is.

Promises should be made only if they are going to be kept. Social Security and Medicare both hold the potential for a tragic breaking of promises if action is not taken soon.

The result, as Mr. Schobel implies, is that employment-based pensions, IRAs, and other personal savings will be vital for the baby boom and those who follow. The time to strengthen these programs, and to save more is now.

Mr. Schobel and *Policy Review* do

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the public a service by putting forward the facts about Social Security.

Dallas L. Salisbury
President
Employee Benefit Research Institute
Washington, DC

Bruce Schobel Replies:

No one should be surprised when government officials, looking to the past, insist that all benefit promises will be kept in the future, even though this would require the extraordinary and unprecendented redemption of $5.6 trillion in special-issue government bonds over just 12 years. While I cannot totally rule out this possibility, it must be considered unlikely. We also need to remember that the government's inability to redeem those bonds—and the consequent failure to keep today's benefit promises—would never be described in plain language. The true situation would be obscured. Future government officials may be expected to say, "Of course, we are capable of redeeming the bonds, but redemption would not be in the best interests of future generations. Instead we will keep the trust funds at their present level forever, holding the bonds in reserve." The effect is the same: Benefit levels would need to be reduced "sooner than you think."

While I focused on the asset side of Social Security's balance sheet, some writers suggest that the program's trustees are underestimating liabilities through the use of overly optimistic actuarial assumptions. This is a difficult case to make. Most independent actuaries have found the assumptions to be reasonable. As recently as 1990, a panel of actuaries and economists appointed by the Advisory Council on Social Security suggested only minor changes in assumptions, which were largely adopted by the trustees the next year. Finally, if experience is more pessimistic than anticipated, it will happen gradually, over many years. In contrast, the problems associated with redeeming the funds' assets will be very sudden and enormous.

China Is a Real Threat

Dear Sir:

Ross Munro's article, "Awakening Dragon: The Real Danger In Asia is from China," (Fall 1992) is a very powerful one. It is particularly important given the way that American attention has focused heavily on Japan in recent years. While Japan is a one-dimensional power that can never rival the United States across the board, China has the "weight" (size, population, strategic viability, cultural influence) that would enable it to do so, if the current rate of economic growth were sustained for another generation or so.

I agree very much with what Mr. Munro has to say about human rights and democracy, and their relationship to trade policy. The mixture of cant and naivete that prevails on this subject is distressing.

I think that Mr. Munro dismisses too easily the possibility that the "nasty leadership succession struggle" that is probably coming will lead to a prolonged internal breakdown and a loss of economic momentum. But at the same time it is wise not to bet on such a breakdown solving the problem for us.

Owen Harries
Editor
The *National Interest*
Washington, DC

Create Balance of Power

Dear Sir:

Ross Munro has written a remarkable article about China's explosive pattern of economic and military growth. I am absolutely sure that Mr. Munro is right. The "Awakening Dragon" is a danger to East Asia and the whole world.

All but forgotten is the Tiananmen Square disaster of 1989 when the Chinese communists, intent on preserving their one-party dictatorship, massacred students. The seven leaders of the Standing Committee of the Politburo are dedicated to keeping political control, and do not intend to give any power to the local people. Economic growth is useful to them, but social stability is their main concern.

Mr. Munro suggests that there is at least a possible opportunity for democratic and capitalist Taiwan to promote "greater political and economic freedom on the mainland." He says "Taiwan, not America, has the unique resources" to change the hearts and minds of the Chinese people. Washington officials should make better use of their special relationship with the Republic of China on Taiwan to develop American-PRC cooperation. If an expansionist China becomes the dominant power in Asia, the United States will then have to create a military and political balance of power against China.

Ray S. Cline
Chairman
U.S. Global Strategy Council
Washington, DC

The Cold War Is Over

Dear Sir:

Mr Munro's vision of China, as the title suggests, harkens back to the China Lobby rhetoric of the early Cold War years. He envisions a militant, mercantilist, expansionist China that threatens American interests on multiple fronts and undercuts the stability of the Asia/Pacific region as a whole.

I agree that China's modernization has been much more successful than many outsiders, still distracted by memories of the Tiananmen massacre, have realized. Indeed, many parts of China have achieved "Newly-Industrializing Economies" status. But that economic takeoff has prompted

Close to two percent of the Chinese population may be confined to the *laigai* archipelago.

—Lee Edwards

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China to proceed cooperatively with much of Asia—not just Japan and Hong Kong, but also the ASEAN countries, South Korea, and Taiwan. And those ties of trade and technology ultimately underscore, rather than undercut, Asia/Pacific prosperity and stability. China will surely be a tougher trade partner in the years ahead, but that should prompt us to strong negotiations, not some fearful posture.

It is true that China has increased its military expenditures in recent years and has purchased foreign military technology. It is also true that China has taken a more aggressive diplomatic and commercial stance over the Spratly Islands. But to extrapolate from this evidence a long-term demonic expansionist strategy on the part of the PRC greatly overstates the case. There is simply no evidence that China's troops are about to spill over her borders into neighboring terrain.

It is revealing that Mr. Munro states that "our long-term problem in Asia is China—not stable, democratic, and still quasi-pacifist Japan." It sounds as if he is looking around the landscape for a new number-one enemy. Why not China? After all, it worked once before—back in the 1950s—when we justified huge military expenditures countering Mao's "blue ants."

When it comes to internal reform, Mr. Munro believes that the coming succession battles will not bring a "change in political course" and will leave in place the current "Leninist-capitalist consensus." And the "most far-fetched scenario is that China will become democratic in the near future."

Somehow Mr. Munro misses the possibility that China will follow an intermediate path taken by many other Asian nations—growing political pluralism, prompted by rising economic standards and social change. China might well move away from its repressive post-Tiananmen politics toward an era of greater openness. Such a trend should not be dismissed because it is not fully "democratic"—it would indeed mark a significant change in political course.

Not until late in his article does Mr. Munro drop his fearsome rhetoric and address American policy interests in a relatively balanced fashion. Ironically, after learning about this malevolent China, we are told that the United States should not become the leader of "a hostile, anti-Chinese alliance." We are also encouraged to keep up human rights pressure on China even though "any U.S. administration can bring about only a tiny, marginal improvement in Chinese political conditions." Mr. Munro's mild policy prescription seems totally unrelated to the ferocious image of China he has conveyed.

Frankly, Mr. Munro doesn't seem to know how we should cope with his Fu Manchu vision of China. Maybe that's because it exists more in his mind than in reality.

Robert B. Oxnam
President
The Asia Society
New York, NY

There is simply no evidence that China's troops are about to spill over her borders into neighboring terrain.
—Robert B. Oxnam

Vigorous Diplomacy Needed

Dear Sir:

Ross Munro is correct about the underlying structure of American-Chinese relations. With the collapse of the Soviet Union, we no longer need to pay to be able to play the China card. Our relations in East Asia are in flux.

The phrase "Leninist-capitalism" is accurate but does not portend a radically new challenge. China is freeing its economy from direct control of the state but is maintaining an authoritarian political system that guides the economy. This is basically the same approach that South Korea and Taiwan followed for decades. We have learned to cope with economically vigorous autocracies that have embryonic democratic forces. In China we have a larger challenge in a new environment, but nothing fundamentally new.

The evaporation of socialist goals for China may make China's foreign policy more nationalist. However, it is premature to link the words nationalist and expansionist, as though they go together as love and marriage. Historically, Chinese leaders have built walls to separate themselves from foreigners; they have not sent fleets to conquer them. They certainly have absorbed the Japanese discovery that it is cheaper to buy resources than to conquer them, and that military threats undermine trade access.

The international environment will be very important in guiding China to a more narrow concept of nationalism. It will be very hard to end China's sales of weapons to the Mideast while we and others sell to those markets. It will be hard to dissuade China from using force as long as it is used successfully in Serbia. We are entering an era in which vigorous international diplomacy is urgently needed as a complement to a redefined United States policy.

Ben Stavis
Department of Political Science
Temple University
Philadelphia, PA

The Chinese Palm

Dear Sir:

Ross Munro is correct: China, not Japan, is America's most serious long-range challenge in Asia. As Walter Judd liked to say, China is the palm of Asia, with Japan, South Korea, Taiwan, the Philippines, India, and Vietnam extending from it like so many fingers. So long as China remains under communist control, the freedom and independence of the region's other nations are at serious risk, and America's strategic interests are directly affected.

Given that China is now the greatest military power in Asia, it is

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not surprising that Japanese Prime Minister Kiichi Miyazawa and South Korean President Roh Tae Woo have jointly declared that a continuing American presence in Asia is "indispensable."

In his generally excellent analysis, however, Mr. Munro fails to give sufficient attention to the infamous Chinese Gulag. Hongda Harry Woo and other experts estimate that at least 10 million, and as many as 21 million prisoners are being held in China's labor camp system—meaning that close to two percent of the Chinese population may be confined to the *laigai* archipelago.

In the face of such "ideological cleansing," America should pursue an aggressive foreign policy (including strict sanctions against the import of labor camp products) to help the Chinese people move from communism and militarism toward freedom and democracy. Such a policy is in our long-range interests as a Pacific power and consistent with our role as the exemplar of liberty in the free world.

Lee Edwards
President
Center for International Relations
Washington, DC

Sino-Superpower

Dear Sir:

Ross Munro's article is an accurate appraisal of a key issue that the United States Congress has failed to address properly. Few recognize that by the year 2010, or shortly thereafter, China will have emerged as one of the key superpowers in the world, economically as well as militarily. Military superiority will, in fact, come in the next five years. Furthermore, Chinese influence is not contained within the triad of the mainland, Taiwan, and Hong Kong, but extends throughout Chinese Asia.

Little attention was paid to China until the events of Tiananmen Square and since then focus has been on human rights issues. No attention was paid whatsoever to the industrial growth that has taken place in the last five years until some were alerted to the fact that there was a major balance of trade deficit and that it was expanding by leaps and bounds. After all, why should we? China is ruled by a group of elder statesmen who often give the outward appearance of being united but, behind the scenes, each would like to become emperor. With such discord, why should the United

States consider China a threat?

First, China is one of the most rapidly growing economic powers in the world. Growth rates in the "gold coast" have ranged between 17 and 20 percent per year and overall growth of the country is in the range of ten percent. With sound management practices being put into place by private-sector Chinese corporations as well as joint venture operations, these firms are becoming more profitable than ever imagined.

A question remains as to whether economic freedom in China will lead to increased political freedom. In the long-term, the answer is yes; in the short-term, however, the answer is no. China will have several decades of autocratic rule before a new generation of educated elite comes to the helm. What is encouraging, however, is that a better-informed, moderate and progressive leadership is beginning to emerge.

Phillip D. Grub
Department of International Business
The George Washington University
Washington, DC

China in Check

Dear Sir:

Ross Munro's article confirms his reputation for well-informed, trenchant analysis. Yet before we ring the alarm bell, we should take note of several factors that will prohibit China from becoming a threat to Asia.

First, there are pressing domestic concerns that are likely to worsen rather than become better. The serious regional income disparities Mr. Munro mentions have exacerbated traditional frictions. Meanwhile, Deng Xiaoping's open door policy has encouraged the regions to look outward. Guangdong's economy is now closely linked with money and managerial expertise from fellow Cantonese in Hong Kong; the same can be said for Fujian's with *minnan* speakers from Taiwan. Xinjiang, and Ningxia are increasingly attracting capital from other Muslim states. With trade comes influence, weakening the provinces' dependence on Beijing, and Beijing's ability to extract compliance with its directives. One Hong Kong democracy activist who is not otherwise known for his optimism states that if Guangdong troops were ordered to march on Hong Kong they would refuse. The same lack of enthusiasm would likely characterize Fujian forces ordered to move on Taiwan.

The floating population is now over 100 million, and growing. Its hallmark is indifference to government directives, be it with regard to birth control, tax collection, or service in the military. While the amount of money being devoted to military modernization and the attention paid to training have both increased, corruption is a growing problem and will dull the edge of the military's sword. One should also note that military modernization is a lengthy process, and that China has a strong tendency to change policies abruptly.

Second, China's Asian neighbors are not without the ability to exert counterpressures. Indonesia, Malaysia, and Singapore have significantly upgraded their arsenals within the last year; joint exercises have become both more frequent and more sophisticated. Taiwan's purchases of American F16s and French Mirages are accompanied by the indigenous development of air-defense technology. And nothing would energize Japanese nationalism faster than a perceived

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threat from China.

Mr. Munro is right on the mark in his description of the unreality in Washington with regard to China. But let's not create a threat that may not actually materialize.

June Teufel Dreyer
Department of Political Science
The University of Miami
Coral Gables, FL

CO_2, Elixir of Life

Dear Sir:

Sylvan Wittwer is right on the mark in "Flower Power: Rising Carbon Dioxide Is Great for Plants" (Fall 1992) in saying that earth's plants will benefit greatly from higher atmospheric CO_2 concentrations. But his estimate of the benefits may actually be a bit conservative.

Recently, I completed one of the most comprehensive reviews of the scientific literature ever conducted into the effects of atmospheric CO_2 enrichment on plant growth and development (Scientific Paper No. 23 of Arizona State University's Laboratory of Climatology). This review began where Bruce Kimball's review of 1983 ended and covered the past 10 years of work in this area. In it, I analyzed 1,087 individual observations of plant-growth responses to increased levels of atmospheric CO_2 contained in 342 peer-reviewed journal articles authored by 484 scientists from 28 different countries. In distilling the salient features of this wealth of scientific evidence, I found that 93 percent of the plants studied had a positive response to atmospheric CO_2 enrichment, while 5 percent exhibited no change, and only 2 percent suffered detrimental effects. On average, an atmospheric CO_2 increase of 330 ppm increased plant productivity 52 percent. Furthermore, plant productivity increased linearly with CO_2 enrichment all the way to the highest CO_2 concentration investigated (2,250 ppm), where the increase in productivity was 166 percent.

At the conclusion of this study, I scrutinized the papers that reported results for plants suffering from lack of light, water, and nutrients, as well as those exposed to aerial pollutants and high soil salinity and air temperature, finding that the relative benefits of atmospheric CO_2 enrichment were often greater in the face of these environmental stresses than when growth conditions were ideal (Laboratory of Climatology Scientific Paper No. 24). Hence, as these empirical observations clearly demonstrate, and as Wittwer plainly states, rising CO_2 is indeed "great for plants."

Keith Idso
Botany Department
Arizona State University
Tempe, AZ

No News on CO_2

It does a great disservice to suggest the scientific community has in any way suppressed the publication of data concerning carbon dioxide fertilization.
—Mark Harmon

Dear Sir:

There is no news in Mr. Wittwer's statements about the response of plants to enhanced atmospheric carbon dioxide. Although there are experiments that confirm Mr. Wittwer's assertion that enhanced carbon dioxide concentrations improve the growth of plants and the efficiency of the use of water, the extent of this effect in nature has, so far, escaped detection despite many attempts to show it.

One would expect that if the benefits Mr. Wittwer and a few others advance so enthusiastically were real benefits to the world as a whole, we would see measurable increases in the growth of such perennial plants as trees, and that the benefit would be universal, especially after a 30 percent increase in the carbon dioxide concentration in the atmosphere in the last century. No such universal advantage has been measured, despite many efforts.

There are several reasons for this, including the fact that the growth of plants is limited by such factors as the availability of water, nutrients, light energy, temperature, and genetic facts. Longer term experiments than those Mr. Wittwer is relying on show that the initial stimulations due to enhanced carbon dioxide concentrations diminish with time, and the stimulation of growth that Mr. Wittwer advances as a great benefit disappears in perennials. Paul Kramer, the physiologist from Duke University, called attention to these factors many years ago and his caution has proved to be well-founded wisdom.

Despite Mr. Wittwer's enthusiasm for his one-factor approach to the environment, a rapid warming of the earth is widely expected to have an opposite effect by making continental centers drier; expanding the arid zones of the earth; and bringing destructive changes to forests that can be expected to release additional quantities of carbon dioxide into the atmosphere from green plants and soils. That effect will, by all evidence available now, speed the warming.

G. M. Woodwell
Director
The Woods Hole Research Center
Woods Hole, MA

An Unfortunate Mistake

Dear Sir:

Sylvan H. Wittwer makes the unfortunate mistake of extrapolating directly from agricultural and horticultural situations to ecosystems. When he states that trees "love carbon dioxide, and the more they get of it, the more they love it," he assumes that native species in unmanaged (or modestly managed) ecosystems will react like agricultural and horticultural species growing under highly managed conditions where production-limiting genetic and environmental factors are minimized.

Productivity in native ecosystems

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is often simultaneously limited by a number of factors, including inorganic nutrition and temperature. If a plant is strongly limited by factors other than photosynthate (sugar) supply, it is unlikely that there will be a major, long-term stimulation of productivity by elevated CO_2.

In Alaska, we found no detectable stimulation of production in native, undisturbed arctic tundra following three years of treatment at elevated atmospheric CO_2. This appeared to be due in part to genetics and environmental limitations of low temperature and low nutrient availability. Similar results were found by Professor Boyd Strain of Duke University, working with loblolly pine in the field.

Many ecologists expect to see some stimulation in production in ecosystems where there is ample nutrient, where temperatures are warm, or where water is limiting. However, in a great many ecosystems that are already limited by low temperatures or nutrient availability, there may be minimal or no stimulation of productivity from elevated CO_2. It is therefore misleading to predict an "enormous expansion in forest biomass" or that there will be "major increases in bird, fish, and mammal populations." In fact, current areas of investigation include estimating limitation of productivity to elevated CO_2, estimating negative impacts on plant species following increases in atmospheric CO_2, and determining the extent to which food quality for animals in nature may be reduced at elevated CO_2.

Walter C. Oechel
Professor of Biology
San Diego State University
San Diego, CA

Quite Misleading

Dear Sir:

Sylvan Wittwer claims that "one of the best-kept secrets in the global warming debate is that the plant life of Planet Earth would benefit greatly from a higher level of carbon dioxide in the atmosphere." This is quite a dramatic way to start, but it is also quite misleading, if not actually false. It is true that controlled greenhouse and growth-chamber studies have indicated increased CO_2 concentrations can increase plant production. This is only true, however, if other factors (moisture, temperature, mineral nutrients, and biotic interactions) are not limiting plant production. In fact, these other factors often limit plant production within the real world.

For example, in vast areas the production of terrestrial plants is largely limited by shortages of water. Reducing water loss in a desert grassland ecosystem may only marginally increase plant production. Temperature also limits terrestrial production in the polar zones. Increasing production under low light levels will have little effect if seasonal temperatures are too low—unlike the winter greenhouse studies cited by the author.

Few aquatic systems are so nutrient rich that CO_2 is limiting. It has been recently suggested that oceanic systems are limited by the amount of iron present in solution, not by the abundance of dissolved CO_2 (*Science*, January 1991). In fact, there is so much carbon dioxide already dissolved in the ocean that summer-time production does not reduce atmospheric concentrations (*Nature*, August 1992). In contrast, the amount of production in the ocean is substantial and causes a dramatic increase in atmospheric oxygen.

It is also quite misleading to suggest that limits to terrestrial plant production can be eliminated by fertilizing with elements such as nitrogen or phosphorus. First, this would be very expensive. Second, such biotic interactions as pest outbreaks may limit production. One must also consider such abiotic disturbances as fire, which can limit the accumulation of plant mass. For example, trees can grow in much of the Midwest; however, historically fire—and currently agricultural cropping—limited the geographical extent of these larger and more-productive plants from this region. Similarly, tree lines at high elevations are not usually caused by low temperatures, but by wind and ice damage.

In examining the potential effects of climate change one must bear in mind two things. First, there is a great uncertainty about the future. The biosphere does not operate in the simplistic, additive manner that Wittwer describes. A greenhouse is one thing, the earth another. Second, although the long-term changes may be beneficial, this does not mean the transition period will be rosy. Modeling studies indicate production of terrestrial plants may increase under a warmer climate. To achieve this increased level of production, however, plant species will need to migrate, and if the climate changes as rapidly as some global-circulation models suggest, then terrestrial production will decrease during the transition period.

Finally, it does a great disservice to suggest the scientific community has in any way suppressed the publication, dissemination, or use of data concerning CO_2 fertilization. There have been numerous greenhouse, field, and model simulation studies on this subject. The jury is still out on exactly what increased carbon-dioxide concentrations will mean in the world.

Mark Harmon
Assistant Professor of Forest Ecology
Oregon State University
Corvallis, OR

Hidden Costs

Dear Sir:

As a natural resource economist, I endorse Mr. Wittwer's point that the full ramifications of increased carbon dioxide content of the atmosphere are likely to be complex and not easily foreseeable. I also endorse his view that the advantages of

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more carbon dioxide should be fully considered, as well as the costs.

Director Wittwer has accurately described some of the benefits that would flow from higher levels of carbon dioxide. In so doing, he seems to have been concerned to present a case offsetting that of more pessimistic analysts. He mentions but does not elaborate on the costs likely to be associated with higher levels of carbon dioxide. His statement is valuable and significant but it is not a full analysis of the benefits and costs of increased carbon dioxide.

Marion Clawson
Senior Fellow Emeritus
Resources for the Future
Washington, DC

Nobody Really Knows

Dear Sir:

Contrary to the suggestion in Mr. Wittwer's article that the direct effects of carbon dioxide on plants have been ignored in the global warming debate, the United States Department of Energy has for years funded extensive research in an attempt to demonstrate benefits from higher CO_2 concentrations.

Despite greenhouse studies showing increased growth rates, results in the field are much more ambiguous. Gains in the efficiency of photosynthesis and other direct effects of increased CO_2 are limited by nitrogen and phosphorus supplies in the soil. Though studies have shown increased sapling growth for trees in controlled conditions, several recent reports on tropical and temperate tree species have failed to show additional growth under elevated CO_2 conditions.

Additionally, recent tree-ring studies indicate that tree growth is not related to increasing atmospheric CO_2 concentrations, but to temperature, water, and available nutrients.

Mr. Wittwer is correct in concluding that we do not really know if there will be a positive effect upon plant growth due to increased CO_2 alone. He is also correct in noting the significance of changing climatic stresses upon plant species and crops. The most comprehensive study of the impact of higher CO_2 on agriculture took into account higher crop yields (30 percent and

more) in some regions due to the direct effects of CO_2 as well as expected climate changes. The study determined that global food production would decrease between one and seven percent with the doubling of carbon dioxide.

While CO_2 does stimulate photosynthesis under ideal conditions, there is great doubt that benefits can be realized in the field. And when the impact of climate change associated with higher carbon dioxide is taken into account it becomes clear that severe biological impoverishment is the most likely outcome of the global experiment that is currently underway.

Daniel Lashof
Senior Scientist
Andrew Gettelman
Research Associate
National Resources Defense Council
Washington, DC

Tree growth is not related to increasing atmospheric carbon dioxide concentrations, but to temperature, water, and available nutrients.
—Daniel Lashof and Andrew Gettelman

CO_2 Effect Is Well Established

Dear Sir:

I respond to Sylvan H. Wittwer's article on CO_2 fertilization by referring to the National Research Council report of 1983, "Changing Climate," that I chaired. We had a chapter on the effect of increasing CO_2 on crops in the U.S.. The conclusion was that, on balance, there would be no net change in productivity of essential agriculture. We agreed that there would be significant enrichment due to the increasing CO_2, but that it would be cancelled out by diminished precipitation in that part of the world.

However, while the CO_2 effect is well established, the change in precipitation is based on climate models that are much less certain and often disagree on just these regional issues. In a sense, comparing effects of increased CO_2 on tropical rain forests with that on agriculture in temperate regions is somewhat in the same category nor is it simple. It depends strongly on assigned values to the changes in each. Also, a similarity exists in that current estimates of effects on tropical forests are fragile at best and are subject to doubt even as to the signs whereas, again, the agricultural effects, in gross, would seem to be quite positive.

William A. Nierenberg
Director Emeritus
Scripps Institute of Oceanography
La Jolla, CA

Sylvan Wittwer Replies:

The primary charge of my critics is that the fertilizing effects of carbon dioxide are only on a few agricultural crops grown for very short periods in greenhouses. Further, that the growth-promoting effects are primarily on seedlings, are not sustainable, and only occur when water and mineral nutrients are seldom limiting. These erroneous con-

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cepts have arisen primarily from a single report (Kramer, *Bio Science*, 31:29-32), which appeared over a decade ago. The paper presents no new data, adapts and reinterprets the results of other selected reports, and is admittedly speculative.

Hundreds of laboratory, controlled environment, and top free-air experiments now verify the early greenhouse observations. Increased CO_2 in the atmosphere actually reduces the impacts of moisture deficiencies and salinity toxicity, and may even increase photosynthesis in drought-stricken plants. Cotton, for example, has been grown in open top-free air experiments for five continuous seasons, with both optimal and limiting levels of water and nitrogen. Evidence to date shows that for all experimental treatments, cotton yields and plant dry weights were increased significantly by continuous CO_2 enrichment. Even more striking results have been obtained with citrus and other tree species.

As for forests, which carry on two-thirds of global photosynthesis, there has been a 25-30 percent increase in the growing stock of forests in Northern Europe between 1971 and 1990, which may be attributed to a nine percent increase in atmospheric carbon dioxide. There has also been a phenomenal expansion of brushlands at the expense of grasslands in the North American Southwest. It has been concluded that some fraction—perhaps as much as 10 to 12 percent—of the increased global agricultural

productivity during the past 100 years could have resulted from the effects of CO_2 enhancement.

The promotive effects of CO_2 on root growth and biological nitrogen fixation on food production in developing countries may be even more pronounced than in the developed world because of the prevalence of drought, salinity problems, and nitrogen fertilizer shortages.

Finally, the role of the rising level of atmospheric carbon dioxide in the life of the whole biosphere deserves much more attention that it has heretofore received. There is an urgent need for whole-system experimental approaches to global-change research.

The promotive effects of carbon dioxide on food production in developing countries may be even more pronounced than in the developed world.

—Sylvan Wittwer

Real-World Data

Dear Sir:

After reading the letter (Summer 1992) challenging the utility of the Stedman device as described in "Dirty Driving: Donald Stedman and the EPA's Sins of Emission" (Spring, 1992), perhaps a state perspective is in order.

In California, our "Smog Check" automobile program is the centerpiece of our air pollution control strategy. Data show that a single "gross polluting" car can emit as much as two tons of carbon monoxide every year. For both environmental and economic reasons, we must identify these cars and assure their repair. Remote sensing devices present great potential for this purpose and we should begin putting them to the test.

Remote sensors also hold promise to make certain that real-world data in mobile-source emissions are provided. Recent studies suggest that the emissions inventories, based on computer modeling, both in California and nationally, underestimate key pollutants. The data retrieved from remote sensors could be used to re-evaluate and correct these inventories. More accurate inventory would allow air pollution control agencies to plan more effective clean-air strategies; and may provide greater flexibility in achieving clean-air goals.

The remote sensing issue has for too long led to argument based upon theoretical possibilities. Now is the time to begin real-world testing and application of these devices, rather than questioning them incessantly. We hope that California will provide an important laboratory for this effort.

James M. Strock
Secretary for Environmental Protection
California EPA
Sacramento, CA

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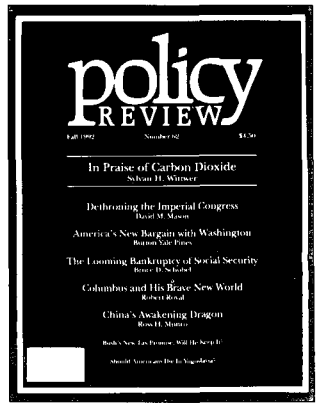

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policy REVIEW

Many freshmen campaigned on the "change" platform, but few offered much detail. Will the new class really depart from the careerist status quo? Their backgrounds point to a reason for doubt. Even more than returning incumbents, the freshmen of 1992 appear to be professional politicians.

John J. Pitney Jr.
Going for the Silver: Why the GOP Placed Second in the Race for Congress

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